

Whiteness and Women, In Practice and Theory: A Reply To Catharine MacKinnon

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I. INTRODUCTION

As a white woman, I want to respond to Catharine MacKinnon's recent essay subtitled "What is a White Woman Anyway?"¹ I am troubled both by the essay's defensive tone and by its substantive arguments.² MacKinnon's contribution to feminism has emphasized the ways in which gender is constructed through male domination and sexual exploitation, and the profound structuring effect of male power on women's lives. This emphasis on what is done to women creates conceptual problems in understanding race and particularly in understanding whiteness. Defining gender by what is done to women makes it hard to see the many ways in which women act in our own lives and in the world. Dominance and privilege tend to seem normal and neutral to the privileged. To overcome this tendency, white people need to see aspects of our actions in the world that are particularly difficult for us to see. The difficulty in seeing women as social actors interacts with the difficulty that white people have in seeing whiteness and its privileges.

Other feminists have criticized MacKinnon's work for the extent to which her emphasis on sexual oppression displaces attention to racism,³ and for treating race as additive or incremental to the "essential" oppression of women.⁴ Her emphasis on the ways in which women are constructed as the

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1. Catharine A. MacKinnon, *From Practice to Theory, or What is a White Woman Anyway?*, 4 YALE J.L. & FEMINISM 13 (1991) [hereinafter MacKinnon, *Practice to Theory*].

2. MacKinnon has a distinguished stature in American feminism. In part, this reflects the strength of her work on sexual harassment, rape, and pornography, and her achievements as a teacher and activist, and, in part, the particular attention she has received in the media. See, e.g., Fred Strebeigh, *Defining Law on the Feminist Frontier*, NY TIMES MAG., Oct. 6, 1991, at 29. This focus on MacKinnon's work creates the possibility that, unless responded to, her position will be seen as *the* position of white feminists. Cf. CATHARINE A. MACKINNON, *Desire and Power*, in FEMINISM UNMODIFIED 46, 49 (1987) [hereinafter MACKINNON, *Desire and Power*] ("you will notice that I equate 'in my view' with 'feminism'. . . ."); CATHARINE A. MACKINNON, *On Collaboration*, in FEMINISM UNMODIFIED, *supra*, 198-205 (asserting that women who disagreed with her proposed anti-pornography ordinance were not "feminists").

3. Marlee Kline, *Race, Racism and Feminist Legal Theory*, 12 HARV. WOMEN'S L.J. 115 (1989).

4. Angela Harris, *Race and Essentialism in Feminist Legal Theory*, 42 STAN. L. REV. 581 (1990).

objects of male power has been criticized for its tendency to overlook resistance to power or to treat as inauthentic interests women perceive as our own.⁵ My essay focuses on the interaction of these issues and their consequences in MacKinnon's feminist theory.⁶ Understanding the social construction of race⁷ requires a vision of women as differentiated social actors.

White women urgently need ways of understanding and working on race and racism that are not liberal—neither based on liberal guilt, nor liberal as the term is used in critical theory (as in liberal legalism, with its emphasis on individualism and intent). Like MacKinnon and many other feminists, I believe feminist theory must be built from the diverse practice of many women. I emphasize in this practice women's creativity and struggles to survive under oppression as well as our experience of oppression. I also suggest that a sharp split between theory and practice hides the ways in which race as an ideology affects the development of pluralist feminist theory.⁸

In her recent response to critiques of essentialism, MacKinnon states that the method of building feminist theory out of the necessarily diverse practice of women inherently includes the particularity and diversity of women's experience. The problem, she argues, is that academic women start with

5. See *infra* note 26.

6. I do not believe MacKinnon's work is racist; as Angela Harris also points out, MacKinnon is anti-racist. Harris, *supra* note 4, at 585. MacKinnon does not ignore race when describing the oppression of women. Her former students tell me that MacKinnon shows real commitment to and respect for women of color in her teaching, and I believe them. However, I also believe that we are all affected by the racist society in which we live, and that the invisibility of privilege to the privileged is one reason most white feminists have not given the same depth of thought to our own race that we have to our own gender. This shared racist culture is why racism can be called "a public health problem," Charles R. Lawrence, *The Id, The Ego, and Equal Protection: Reckoning with Unconscious Racism*, 39 STAN. L. REV. 317 (1987), and a "societal illness," Trina Grillo & Stephanie Wildman, *Obscuring the Importance of Race: The Dangers of Making Comparisons Between Racism and Sexism (or Other-Isms)*, 1991 DUKE L.J. 397, 398. To get at the ways in which this system has been internalized differently by whites and by people of color, bell hooks uses the term "white supremacy" rather than "racism." BELL HOOKS, *Overcoming White Supremacy: A Comment*, in TALKING BACK: THINKING FEMINIST, THINKING BLACK 112, 112-13 (1989).

7. In this essay, I have chosen not to capitalize the terms "black" and "white." In discussing the social construction of race and of whiteness as a racial category, nonparallel capital letters appeared to me and to the editors of this journal to reproduce the problem of treating "white" as an invisible norm. Capitalizing the term "black" shows respect for a particular culture and history that goes beyond skin color. See, e.g., CATHARINE A. MACKINNON, *Not by Law Alone: From a Debate with Phyllis Schlafly*, in FEMINISM UNMODIFIED, *supra* note 2, at 238 n.12; Kimberle Williams Crenshaw, *Race, Reform and Retrenchment: Transformation and Legitimation in Antidiscrimination Law*, 101 HARV. L. REV. 1331 (1988). However, capitalizing "white" does not comparably recognize history and culture. When discussing particular examples, this essay sometimes uses the black/white paradigm of race that has been important to the construction of whiteness. On the need to "interrogate whiteness," see BELL HOOKS, *Critical Interrogation*, in YEARNING: RACE, GENDER, AND CULTURAL POLITICS 51, 54-55 (1990). For a thoughtful new work undertaking the project of interrogating whiteness, see RUTH FRANKENBERG, *White Women, Race Matters: The Social Construction of Whiteness* (1993). On the convention of footnotes explaining choices regarding racial terms, see Kendall Thomas, *Rouge et Noir Reread: A Popular Constitutional History of the Angelo Herndon Case*, 65 S. CAL. L. REV. 2599 n.2 (1992).

8. Cf. BELL HOOKS, *Feminist Theory: A Radical Agenda*, in TALKING BACK: THINKING FEMINIST, THINKING BLACK, *supra* note 6, at 35, 37 (criticizing courses on feminist theory that treat writings by working class women of color as "experiential" and writings by white women as "theoretical").

theory, not practice.⁹ The practice of women is the experience of oppression. Discrimination based on sex is the legal theory that embodies the practice of experience as a woman.¹⁰ She cites landmark women's equal-rights cases on sexual harassment and pregnancy leave in which the plaintiffs were African-American women to show that these plaintiffs, Mechelle Vinson and Lillian Garland, were oppressed "as women."¹¹

MacKinnon believes that much of the discussion of the privilege of white women is based on denying the existence of oppression as women. Critiques of white feminists reflect a reluctance to identify with white women, a reluctance based on seeking identification with men, a greater source of social power.¹² "White woman" is a term in which the modifier "white" discounts the oppression embodied in the category "woman."¹³ MacKinnon resists this discounting: if "white" means "not oppressed," she answers that women *are* oppressed.¹⁴ The way that white women are constructed and treated is "a particularly sensitive indicator of the degree to which women, as such, are despised."¹⁵ What is done to white women is a "floor" for what is done to all women. What is done to women of color is more, added, and worse.¹⁶

Finally, the structure of MacKinnon's argument tracks her substantive emphasis on the objectification of women. She analyzes the ways in which women of various races appear in pornography¹⁷—inherently, a framework of inauthenticity in which women are actresses playing roles created by men, and not social actors in our own lives and in the world. In an extended, ironic, rhetorical passage, MacKinnon examines the "problem" of the white woman as objectified through what she calls a "white man's image" and a "Black man's image."¹⁸

9. MacKinnon, *supra* note 1, at 13-14.

10. *Id.* at 14-16.

11. *Id.* at 14-15, 17-18.

12. MacKinnon believes these critiques show that:

[M]any women, not only women of color and not only academics, do not want to be "just women," not only because something important is left out, but also because that means being in a category with "her," the useless white woman whose first reaction when the going gets rough is to cry. I sense here that people feel more dignity in being part of any group that includes men than in being part of a group that includes that ultimate reduction of the notion of oppression, that instigator of lynch mobs, that ludicrous whiner, that equality coat-tails rider, the white woman. It seems that if your oppression is also done to a man, you are more likely to be recognized as oppressed, as opposed to inferior.

Id. at 21-22.

13. *Id.* at 19.

14. *Id.* at 19-20.

15. *Id.* at 22.

16. *Id.* at 21. The metaphor of a "floor" to oppression invokes the concept of additive oppressions that has been criticized by many feminists. See, e.g., ELIZABETH V. SPELMAN, *INESSENTIAL WOMAN: PROBLEMS OF EXCLUSION IN FEMINIST THOUGHT* 123-25 (1988); Frances Lee Ansley, *A Civil Rights Agenda for the Year 2000: Confessions of an Identity Politician*, 59 TENN. L. REV. 593, 601 (1992); Harris, *supra* note 4, at 595-97; Deborah King, *Multiple Jeopardy, Multiple Consciousness*, 14 SIGNS 42, 47 (1988) (criticizing "additive" models of race and gender oppression and calling for an interactive model of understanding the oppression facing women of color).

17. MacKinnon, *supra* note 1, at 20-21.

18. MacKinnon writes:

[I]t has recently come to my attention that the white woman is the issue here, so I decided I better

MacKinnon is a complex writer, hard to critique without caricature. She not only describes women as objects of a process of social construction, but also sometimes refers to women as authentic actors or acknowledges women's "visions," "history," "culture," and "resistance."¹⁹ Her relentless insistence on seeing the harm to women is often a response to pervasive social and legal ideology that pretends away oppression.²⁰ Both parts of MacKinnon's concept of feminism, however—defining gender by what is done to women, and centering the definition of what is done to us around sexual exploitation—tend to ignore creativity and struggle in women's experience that have been particularly emphasized as important to women of color.²¹ MacKinnon makes the implicit assertion that, to work together as women, what we really need to learn is our shared sexual exploitation as women.

All women struggle to understand the world and to construct lives under conditions of male domination. But race is also a social construction, one in which the participation of white people is often peculiarly invisible to ourselves. A crucial part of the privilege of a dominant group is the ability to see itself as normal and neutral.²² This quality of being "normal" makes

find out what one is. This creature is not poor, not battered, not raped (not really), not molested as a child, not pregnant as a teenager, not prostituted, not coerced into pornography, not a welfare mother, and not economically exploited. She doesn't work. She is either the white man's image of her—effete, pampered, privileged, protected, flighty, and self-indulgent—or the Black man's image of her—all that, plus "the pretty white girl" (meaning ugly as sin but regarded as the ultimate in beauty because she is white). She is Miss Anne of the kitchen, she puts Frederick Douglass to the lash, she cries rape when Emmett Till looks at her sideways, she manipulates white men's very real power with the lifting of her very well-manicured little finger. She makes an appearance in Baraka's "rape the white girl," as Cleaver's real thing after target practice on Black women, as Helmut Newton's glossy upscale hard-edged distanced vamp, and as the Central Park Jogger, the classy white madonna who got herself raped and beaten nearly to death. She flings her hair, feels beautiful all the time, complains about the colored help, tips badly, can't do anything, doesn't do anything, doesn't know anything, and alternates fantasizing about fucking Black men with accusing them of raping her. As Ntozake Shange points out, all Western civilization depends on her. On top of all of this, out of impudence, imitateness, pique, and a simple lack of anything meaningful to do, she thinks she needs to be liberated. Her feminist incarnation is all of the above, and guilty about every single bit of it, having by dint of repetition refined saying "I'm sorry" to a high form of art. She can't even make up her own songs.

Id. at 18-19.

19. *Id.* at 14; CATHARINE A. MACKINNON, *Difference and Dominance: On Sex Discrimination*, in FEMINISM UNMODIFIED, *supra* note 2, at 39 [hereinafter MACKINNON, *Difference and Dominance*] ("Women have done good things, and it is a good thing to affirm them . . . I think women have a history. I think we create culture."). See also CATHARINE A. MACKINNON, TOWARD A FEMINIST THEORY OF THE STATE 47, 80, 92, 101-02, 153 (1989) [hereinafter MACKINNON, FEMINIST THEORY OF THE STATE] (discussing the possibility of resistance, transformative action, or sexual self-assertion for women). These references are not fully developed in her work, and the only women who "resist" in her recent essay are those who sue over sex discrimination. MacKinnon herself has said that it is a mystery "[h]ow sisterhood became powerful when women were powerless." CATHARINE A. MACKINNON, *The Art of the Possible*, in FEMINISM UNMODIFIED, *supra* note 2, at 3, discussed in Christine A. Littleton, *Feminist Jurisprudence: The Difference Method Makes*, 41 STAN. L. REV. 727, 783 (1989).

20. See Frances Olsen, *Feminist Theory in Grand Style*, 89 COLUM. L. REV. 1147, 1176 (1989) (reviewing MACKINNON, FEMINISM UNMODIFIED, *supra* note 2).

21. See, e.g., Harris, *supra* note 4, at 613 ("black women have had to learn to construct themselves in a society that denied them full selves"); Regina Austin, *Sapphire Bound!*, 1989 WIS. L. REV. 539, 541 ("Minority women do amazing things with limited resources, are powerful in their own communities.").

22. See generally SPELMAN, *supra* note 16; cf. Kimberle Williams Crenshaw, *Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory*

whiteness and the racial specificity of our own lives invisible as air to white people, while it is visible or offensively obvious to people defined outside the circle of whiteness. Part of the construction of race is the way that, when used by whites, the word "race" comes to mean otherness—often, in this society, blackness—while whiteness become transparent and neutral. Inescapably, race is not merely "another" form of oppression that happens to women of color, but a part of the experience of all women.

We cannot understand race without seeing women as subjects and recognizing women as differentiated actors. If race is not simply to mean "otherness" or "blackness"—if *all* people have a "race" that is part of the social construction of race—then we must critically examine the participation of white women as actors in society. This inquiry involves looking both at women and how we understand ourselves, and at whiteness and how white people understand (or fail to understand) ourselves.

This essay first argues that, because MacKinnon defines gender as constructed of domination, she has difficulty grappling with the complex experience of women as oppressed actors. I then discuss race as a social construction, drawing upon recent insights in anthropology and critical race theory. To look at the particular experiences of white women as differentiated actors in the world, I shift the analytical framework away from pornography to other areas in which women historically have been oppressed: housework, access to money and credit, and the experience of single motherhood.

The final section of my essay discusses the tensions between the way MacKinnon seeks to show the oppression of women "as such" by pointing to the example of privileged white women, and her goal of building theory that reflects the diversity of women's experience. Despite the goal of building theory from diversity, this reductionist approach to proving oppression tends to reproduce a white norm. Also, the dichotomy between theory and practice fails to reckon with the ways in which some aspects of the practice of white feminists are invisible to ourselves. The liberatory project therefore demands a willingness to hear things, including things about ourselves, that we do not ordinarily see for ourselves. It also demands that we change what we do and find ways to work with what we learn, treating identity as something developed and experienced in working toward transformation as well as in the experience of oppression.

and *Antiracist Politics*, 1989 U. CHI. LEGAL F. 138, 151 (in discrimination cases, race and sex are significant only as they disadvantage victims; privilege is implicit and not perceived). MacKinnon eloquently describes this with regard to gender:

The male epistemological stance, which corresponds to the world it creates, is objectivity: the ostensibly noninvolved stance, the view from a distance and from no particular perspective, apparently transparent to its reality, it does not comprehend its own perspective, does not recognize what it sees as a subject like itself, or that the way it apprehends its world is a form of its subjugation and presupposes it.

MACKINNON, *FEMINIST THEORY OF THE STATE*, *supra* note 19, at 121-122.

II. DEFINING PEOPLE BY WHAT IS DONE TO THEM,
AND FEMINISM BY WHAT IS DONE TO WOMEN,
AND THE TAKING OF SEX AS WHAT IS DONE TO US

For a decade, MacKinnon has explained feminism by analogy to Marxism:

Sexuality is to feminism what work is to marxism: that which is most one's own, yet most taken away. . . . As the organized expropriation of the work of some for the benefit of others defines a class, workers, the organized expropriation of the sexuality of some for the use of others defines the sex, woman.²³

This does not precisely claim to describe the nature of woman for all time, but for this theory: "That which most makes one the being the theory addresses [is] that which is most taken away by what the theory criticizes. In each theory you are made who you are by that which is taken away from you by the social relations the theory criticizes."²⁴

Who you are is therefore based on what is done to you. Harm defines gender. This has proven both valuable and controversial within feminism. A one-sided description of women's experience as constructed of oppression may be a necessary choice because admitting greater complexity and discussing agency in women could be co-opted into belittling or dismissing the reality and depth of oppression.²⁵ However, this one-sidedness may make difficult identifying any authentic women's action or vision.²⁶ Even if not read literally,²⁷ MacKinnon's emphasis on women as the objects of the constructive force of male power puts a tilt in her work that has crucial consequences when she turns to discussion of race.

The analogy MacKinnon uses to define gender is a partial misdescription

23. MACKINNON, *FEMINIST THEORY OF THE STATE*, *supra* note 19, at 3.

24. MACKINNON, *Desire and Power*, *supra* note 2, at 48.

25. Olsen, *supra* note 20, at 1176.

26. This question of women's agency and authenticity has been addressed by many feminist authors. See, e.g., MACKINNON, *FEMINIST THEORY OF THE STATE*, *supra* note 19; CAROL SMART, *FEMINISM AND THE POWER OF LAW* (1989); Kathryn Abrams, *Ideology and Women's Choices*, 24 GA. L. REV. 761 (1990); *Feminist Discourse, Moral Values and the Law: A Conversation*, The 1984 James McCormick Mitchell Lecture, 34 BUFF. L. REV. 11, 75 (1984) [hereinafter *Feminist Discourse*] (confrontation between Mary Dunlap and MacKinnon over concepts of women's subordination); Lucinda Finley, *The Nature of Domination and the Nature of Women: Reflections on Feminism Unmodified*, 82 NW. U. L. REV. 352 (1988) (reviewing MACKINNON, *FEMINISM UNMODIFIED*, *supra* note 2); Lynne Henderson, *Law's Patriarchy*, 25 LAW & SOC'Y REV. 411, 424-30 (1991) (reviewing ZILLAH R. EISENSTEIN, *THE FEMALE BODY AND THE LAW* (1988)); Littleton, *supra* note 19; Stephanie M. Wildman, *The Power of Women*, 2 YALE J.L. & FEMINISM 435 (1990) (reviewing MACKINNON, *FEMINIST THEORY OF THE STATE*, *supra* note 19), discussed in DRUCILLA CORNELL, *BEYOND ACCOMMODATION* (1990).

27. Olsen, *supra* note 20, at 1173-77, argues that MacKinnon's "grand theory" is presented in unambiguous terms in order to render it politically mobilizing and effective. Olsen believes MacKinnon makes a reasonable political choice to counter a social tendency to see sexuality as "natural and largely unproblematic"; MacKinnon answers this tendency to "treat women as agents whose agency needs merely to be appreciated" with emphasis on the systematic violence that denies women the opportunity to develop any voice or desires of their own.

of Marxism.²⁸ Of course, much of Marxist analysis defines workers through their social role in capitalist society. But capitalism appears as one stage in a larger historical picture that begins with the human struggle for survival, locating the creation of human products in the effort to sustain life. MacKinnon recognizes this too,²⁹ but, in her theory, what women do to survive humanly is constructed only *against* what men do to women.³⁰ When Marxist theory finds that capitalism makes working people into workers is possible only because of a previous analytical step in which labor created wealth—a claim about the dignity and potential of the oppressed.

It is this underlying positive claim that generates a transformative vision and has made portions of Marxist thought compatible with aspects of liberation theology. The lamp shining on the page you are reading, the page, the chair upon which you sit, the food you ate at your most recent meal, your clothes, and your shoes, the metal of the fillings in your teeth—and the vehicle that got you here, the stop signs that make traffic coherent, and the pavement on the streets—are suddenly revealed as the fruit of the work of people. It is not just that these are commodities, it is that someone made them. Your own work is part of this entire picture. Through your efforts to do your work, and to protect yourself as you do it, you are “naturally” one with the others who created these things.

Marxist theory generally organizes its vision of society around roles played in the production and exchange of commodities. But the deepest claim of Marxism is not its adoption of what Marx called the viewpoint of the commodity—the stance from which the relations of production construct workers—but its underlying vision of the primacy and dignity of labor in human life, couched in terms of historical development. Social transformation is based on identifying the oppressor and identifying that which is taken through oppression based on a positive vision of the worker and the nature of work, not merely a vision of the evil of exploitation. Class consciousness means recognizing not only that you are jointly oppressed as workers, but also that you have shared potential. Your efforts to survive will lead you (now the plural you) to try to free yourselves from the chains of oppression that bind you to exploitation—will lead toward freedom. It is consciousness lit by the

28. I do not wish to argue for Marxism as opposed to feminism, to assign analytical primacy to either class or gender, or to evaluate the contributions of Marxist feminist writings to feminism or Marxism. Rather, I believe the flaw in MacKinnon's analogy illustrates a problem internal to her theory and helps to demonstrate the consequences of her understanding of race.

29. “In marxist theory, we see society fundamentally constructed of the relations people form as they do and make those things that are needed to survive humanly.” MACKINNON, *Desire and Power*, *supra* note 2, at 48.

30. See, for example, the discussion of consciousness-raising in MACKINNON, *FEMINIST THEORY OF THE STATE*, *supra* note 19, at 83-105. Being a woman means living within the meanings created through social oppression. Transformation consists of developing consciousness (lived knowing) of that oppression as it is manifested in women's lives. “Realizing that women largely recognize themselves in sex-stereotyped terms, really do feel the needs they have been encouraged to feel . . . often actually choose what has been prescribed, makes possible the realization that women at the same time do not recognize themselves in, do not feel, and have not chosen this place.” *Id.* at 102.

merged value of your actual social contribution today and your shared role in the future. The fundamental liberatory claim of Marxism is therefore addressed to the worker: The world is rightfully yours, you have nothing to lose but your chains, what you do is the basis of human development—reclaim it.

MacKinnon's vision of feminism has no parallel claim about women. Gender itself is constructed of domination—the taking of women's sexuality—and constructs social relations and individual experience. When women develop shared transformative consciousness, it is "lived knowing"³¹ of unity built through oppression, but lacks a positive claim about sexuality and the many other ways in which women participate in the creation of the world.³² This void is particularly significant because sexuality is central to her theory. Group consciousness without any positive liberatory vision inevitably means a group or class made only of shared harm and implies no positive vision of shared experience, interest, or potential.³³

MacKinnon makes arguments about women and race by analyzing the roles women play in pornography. These arguments are conceptually similar to the ways in which Marxist analysis adopts the viewpoint of the commodity.³⁴ The difference between the roles of the oppressed classes in the production of pornography and in the production of other commodities demonstrates the difference between Marxism and MacKinnon's definition of feminism. Workers are actors in producing commodities in ways that reflect a productive social role and liberatory potential. In contrast, women are actresses, not actors, in pornography, which is men's construction and objectification of women's sexuality and which implies no vision of a liberatory or transformative potential

31. *Id.* at 95.

32. The insistence on seeing present exploitation is a common thread between MacKinnon's analysis and Marxism. But unlike Marxism, which includes a liberatory potential for the worker, MacKinnon's work focuses not on creating authentic female sexuality but on liberating women from exploitive male constructions of sexuality. She is primarily concerned with rejecting concepts of female sexual autonomy that mask existing sexism, *id.* at 153. One difference between sexuality and work is that the women who are sexually exploited are often described as desiring the exploitation. *See infra* note 34.

33. By analogy, it is a prison camp, not a village, nor the complex world of both resistance and oppression that social historians have described among slaves—although as Mary Coombs has reminded me, there is resistance even in prison camps. Telephone Interview with Mary Coombs (Mar. 1993). MacKinnon recognizes struggle but is mainly concerned with how some women become feminists and others do not, and with how women can become a sex "for itself," MACKINNON, *FEMINIST THEORY OF THE STATE*, *supra* note 19, at 102-05, reflecting her focus on seeing through oppression rather than examining present duality (including strength) in women's lives and struggles.

34. MacKinnon makes an analogy between male domination and the perception of the commodity as "an objective thing rather than as congealed labor." Because women have been the objects of this process of male power and social construction, feminist consciousness consists of identifying the "objective" point of view as male. MACKINNON, *FEMINIST THEORY OF THE STATE*, *supra* note 19, at 122. The common thread between Marx and MacKinnon is their focus on the socially constructed nature of apparently natural categories. Social perception of the commodity as a naturalized thing is part of what supports capitalism; Marx identified in the commodity the social relationships between labor and capital. The naturalization of women's role and the perception that women were unproblematically persons acting in natural ways are props of gender oppression; MacKinnon argues that male power constructs women as objects. But these insights lead in different rhetorical directions. While Marx emphasized social relationships hidden in objects (commodities), MacKinnon has fought to show the objectifying process of domination hidden in what society called unproblematically human, through emphasizing power rather than struggle.

in women.³⁵

Other feminists have pointed to the problems with MacKinnon's emphasis on women as objectified by male power.³⁶ Christine Littleton explored the difficulty of finding within MacKinnon's vision of feminism a way to establish a shared position as women that could be both authentic (based on our own experience) and critical (not itself created by or perpetuating men's domination).³⁷ Littleton argues that MacKinnon's method, with its emphasis on consciousness-raising as a means of both exploring and transforming women's experience, is her greatest contribution. She concludes that MacKinnon treats the seeing of oppression as itself a transformative and political act, creating the impetus to disengage from oppression.³⁸ MacKinnon's most recent book takes this approach, movingly describing³⁹ the transformative work of feminist consciousness-raising groups.⁴⁰

Some feminists who developed the method of consciousness-raising emphasized action against oppression as an integral part of the process.⁴¹ MacKinnon's view of transformative consciousness, in contrast, seems largely internal to women's groups and to individual women. It implies no necessary

35. See *infra* text accompanying notes 112-15 (discussing the problems in understanding race when pornography is the paradigm of women's oppression).

36. Angela Harris's critique has been cited mainly for her argument about essentialism, but Harris also criticized overemphasis on the objectification of women as being inconsistent with the way women of color know themselves to have strength, creativity, and success at survival under oppression. Harris, *supra* note 4, at 612-14. Lucinda Finley questioned whether MacKinnon overlooked women's strength and creativity by implying that *all* women were in male-dominated society was what what men created through oppression. Finley, *supra* note 26, at 379. Drucilla Cornell took literally MacKinnon's emphasis on women as the objects of social construction and counterposed the possibility of a less determined reconstruction of the feminine. Cornell treats MacKinnon's work as unambiguous about the way women are constructed as the objects of male power. CORNELL, *supra* note 26, at 123. "In MacKinnon's feminist recasting of Marxist materialism, to be female is to be the one who is fucked. 'Man fucks woman; subject verb object.'" *Id.* at 119 (quoting MACKINNON, TOWARD A FEMINIST THEORY OF THE STATE, *supra* note 19, at 124). Cornell criticizes MacKinnon for seeing only the "frame" in which women are placed, not "beyond to the current frame." CORNELL, *supra* note 26, at 141.

37. Littleton, *supra* note 19, at 782-84.

38. *Id.* at 752-54, 782. Cf. CORNELL, *supra* note 26 ("Put very simply, MacKinnon's central error is to reduce feminine 'reality' to the sexualized object we are for *them* by *identifying* the feminine totally with the 'real world' as it is seen and constructed through the male gaze").

39. See, e.g., MACKINNON, FEMINIST THEORY OF THE STATE, *supra* note 19, at 87:

The point of the process was not so much that hitherto-undisclosed facts were unearthed or that denied perceptions were corroborated or even that reality was tested, although all these happened. It was not only that silence was broken and that speech occurred. The point was, and is, that this process moved the reference point for truth and thereby the definition of reality as such. Consciousness-raising alters the terms of validation by creating community through a process that redefines what counts as verification. This process gives both content and form to women's point of view.

40. *Id.* at 101-02.

41. See, e.g., Elizabeth Schneider, *The Dialectic of Rights and Politics*, 61 N.Y.U. L. REV. 589, 601-04 (1986) (on the relationship between women's experience, feminist theory and political action); *id.* at 642-48 (rights claims against the harms of battering and sexual harassment grew out of looking at women's experience, became transformative movements, and changed societal perception of what constituted suitable material for legal and social discourse). One early feminist book on rape treated consciousness-raising, speaking out, theoretical analysis, and feminist action as successive stages of feminist work, but added: "But in reality these are not separate steps at all, but a complex experience of growing awareness and involvement." NEW YORK RADICAL FEMINISTS, RAPE: THE FIRST SOURCEBOOK FOR WOMEN 4 (1974).

interaction between consciousness and practice and requires no interaction with the world.

Although transformation is part of MacKinnon's account of consciousness-raising, all sense of women as transformative actors disappears when MacKinnon turns to answering critiques of essentialism in her discussion of white women. I believe this reflects the extent to which she has anchored her theory to the vision of women as objects of sexual exploitation. Defining women by the taking of our sexuality could be a privatizing vision. MacKinnon's analysis explodes this—especially through her emphasis on pornography—into a collective, cultural harm that affects all women. She is correct in many ways: our lives and relationships are not truly severable from cultural distortion and the expropriation of our sexuality. But this is not otherwise a vision with any sense of shared experience of acting in the world. Defining women by what is done to us asserts women's shared experience based on these harms.⁴² Centering theory on the taking of sexuality hides other forms of oppression⁴³ and other shared aspects of our lives.⁴⁴

I am not arguing that transformative theory necessarily requires any single core positive claim that will underlie liberatory struggle.⁴⁵ But centering theory around a core *negative* claim such as sexual exploitation has its own consequences for transformative vision and organization. Christine Littleton has suggested that accepting partial authenticity and the inevitability of partial inauthenticity in women's lives, choices, and struggles could allow us to oppose oppression without anchoring ourselves to a fundamental claim about gender that leads to a vision defined by inauthenticity.⁴⁶ Or, we could arrive at a transformative vision based on an "objective" claim about the structure of the world as Marxism does, or spiritually (including humanism), or through

42. This overlooks many questions upon which transformative struggle depends: whether shared harm (to the extent that women perceive it as shared) will be a sufficient basis for women to decide what to do about oppression, how to act together, or whether in fact to act together.

43. Marlee Kline has pointed out that the emphasis on sexual exploitation reflects and reinforces the centrality of white feminist theorists to feminist theory. Kline, *supra* note 3, at 142-43 ("MacKinnon's assertion that the content of feminist practice supports her insistence on the centrality of sexuality to feminism is tautological. She appears to accept white feminist practice as coincident with feminism rather than challenging the limits of white feminist practice when applied to or used as a basis for explaining the oppression of women of color.").

44. For example, emphasizing the taking of sexuality tends to downplay or ignore other shared or collective harms suffered by women—like the ways in which harm to children becomes harm to women through our love and responsibility for them—and the shared experiences of struggle and survival that are part of race, ethnicity, and class.

45. "Grand theory" in general may have both strengths and weaknesses for feminist work. See Martha L. Fineman, *Challenging Law, Establishing Difference: The Future of Feminist Legal Scholarship*, 42 FLA. L. REV. 25 (1990); cf. Olsen, *supra* note 20 (defending grand theory).

46. Interview with Christine Littleton (Nov. 1992). Perhaps we could accept as partly authentic the consciousness of women who perceive themselves as agents in their lives, rather than treating women's task as solely the recognition of inauthenticity. For example, I have argued that women's perceptions of agency in their own lives are both true and false. Martha R. Mahoney, *Legal Images of Battered Women: Redefining the Issue of Separation*, 90 MICH. L. REV. 1, 25 (1991) [hereinafter *Legal Images*]; Martha R. Mahoney, *EXIT: Power and the Idea of Leaving in Love, Work, and the Confirmation Hearings*, 65 S. CAL. L. REV. 1283, 1308 ("this strong sense of agency reflects both sound self-knowledge and denial of the impact of structures of power").

the reconstruction of the "feminine" and the expansion of the possibilities for love.⁴⁷

Many feminists continue to explore ways to value the work women have done⁴⁸ and the wisdom and love women have developed despite and because of conditions of oppression, without defining women by the roles we have traditionally played or implicitly accepting the constraints under which women have lived and worked.⁴⁹ MacKinnon has incisively criticized positive views of relational reasoning and valorization of "difference" in women because women have no choice about being caring.⁵⁰ Without re-creating a view of motherhood as authentically "womanly" or the paradigmatic role for women, feminists still face the question of valuing the work women do, much of which involves care for dependent others.⁵¹ Feminist legal theory has grappled with women's responsibility for children and for emotional life through debates about connectedness, nurturance, and an ethic of care.⁵² If we devalue and overlook much of the work women do, we will encounter further difficulty in seeing the connections between the work women do and the social construction of race, which has been built partly around this work.⁵³

MacKinnon's discussion of white women is rhetorically structured to track her emphasis on the objectification of women and the centrality of sexuality to her theory. She argues against straw persons, ironically stating that the

47. CORNELL, *supra* note 26, at 205 ("Affirmed as the feminine, the threshold might be the opening to a new alliance. . . . Ontology of gender identity, then, has been deconstructed not just to expose the normative injunction that lies at its base, but to protect the possibility of a different destiny.").

48. A recent article points to the importance of the racial differentiation of this work. Evelyn Nakano Glenn, *From Servitude to Service Work: Historical Continuities in the Racial Division of Paid Reproductive Labor*, 18 SIGNS 1 (1992). Martha Fineman discusses the importance of reorganizing family law to recognize the inevitability of dependency and the derivative dependency of caregivers, rather than the sexual ties between adults. Martha A. Fineman, *Intimacy Outside of the Natural Family: The Limits of Privacy*, 23 CONN. L. REV. 955 (1991).

49. See, e.g., Mary Becker, *Maternal Feelings: Myth, Taboo, and Child Custody*, 1 S. CAL. REV. L. & WOMEN'S STUD. 133 (1992). Becker points out that it has been difficult for feminists to deal with the profound ways in which women love their children. *Id.* at 159-67. Although social insistence on motherhood as the natural role of women has been destructive to women, the opposite development, ignoring women's passionate love for and commitment to children, is also destructive. *Id.* at 159. See also CORNELL, *supra* note 26, at 21-78 (discussing "the maternal and the feminine"); see generally ADRIENNE RICH, *OF WOMAN BORN* (1976).

50. MACKINNON, *FEMINIST THEORY OF THE STATE*, *supra* note 19, at 51.

51. See, e.g., Martha Fineman, *Dominant Discourse, Professional Language, and Legal Change in Child Custody Decisionmaking*, 101 HARV. L. REV. 727 (1988) (discussing the devaluation of primary caregiving, which involves both love and physical work, in an attempt to create gender-neutral standards of parenting); see also Martha A. Fineman, *The Newer Mother*, 46 U. MIAMI L. REV. 653 (1992).

52. See, e.g., Robin West, *Jurisprudence and Gender*, 55 U. CHI. L. REV. 1 (1988). But see Celina Romany, *Ain't I a Feminist?*, 4 YALE J.L. & FEMINISM 23 (1991), for a critique of West, Menkel-Meadow and others for over-relying on Carol Gilligan. This literature on "connectedness" has been the main account of love in feminist legal theory, at least until the recent proliferation of work on motherhood. MacKinnon and others have criticized the sentimentalization of and incorporation of roles that are forced upon women. See, e.g., *Feminist Discourse*, *supra* note 26; MACKINNON, *Difference and Dominance*, *supra* note 19, at 38-39. See also Joan C. Williams, *Gender Wars: Selfless Women in the Republic of Choice*, 66 N.Y.U. L. REV. 1559 (1991) [hereinafter *Gender Wars*] (emphasizing the impact of Gilligan on feminist theory and critiquing the ideology of domesticity).

53. See *infra* text accompanying notes 73-85 (discussing race as a social construction), and particularly notes 117-29 (on housework and the racial structure of reproductive labor).

white woman must be either the "white man's image" or the "Black man's image," listing stereotypes attributed to these images, and then pointing out that the stereotypes are not true. First, this argument makes a crucial omission: despite a brief appearance by Ntozake Shange, hidden in the middle of a passage focused on the "Black man's image," MacKinnon omits the possibility that the white woman could be defined from the viewpoint of the woman of color.⁵⁴ Also, MacKinnon's version of the "white man's image" is profoundly class-bound: her description of the "pretty, pampered, protected, flighty" woman ignores the also-subordinated, hard-working helpmeet who is the ideal woman in some working class and farming cultures.

Her "Black man's image" is a caricature that invokes racist stereotypes of black people as well as distortions of white women. "She [the white woman] makes an appearance in Amiri Baraka's 'rape the white girl.'"⁵⁵ This quotation is out of context.⁵⁶ The violence in the poem is in response to racist violence against black people, including sexual exploitation by whites.⁵⁷ The poem expresses not only rage itself but also anguish and despair over the murderousness of this rage—feelings that are missing from MacKinnon's brief excerpt.

The excerpt appears in the middle of a stanza: "Rape the white girls. Rape/ their fathers. Cut the mothers' throats."⁵⁸ In the poem, the objects of rape

54. I am grateful to Elizabeth Iglesias for pointing this out to me. Interview with Elizabeth Iglesias (Feb. 1993). I had noticed only that Ntozake Shange was oddly placed in this paragraph because she is not a man. Once Professor Iglesias mentioned the omission of women of color, I found the omission glaring and obvious, but even as of the second draft of this essay, I had not seen it for myself. See *infra* text accompanying notes 90-99 and 163-66 (on the difficulty for whites in perceiving white privilege). Part of white privilege is failing to notice the omission of those who do not share this privilege.

55. MacKinnon, *Practice to Theory*, *supra* note 1, at 19; this passage is quoted in full *supra* note 18.

56. I do not intend to write a defense of Baraka here. Rather, I want to challenge the particular use of these words from his poem. The citation is also ahistoric. THE DEAD LECTURER was published when Amiri Baraka still used the name LeRoi Jones—MacKinnon's text therefore says "Baraka" and cites to "Jones." *Id.* He changed his name in 1968. See AFRO-AMERICAN POETS SINCE 1955, 23 (Trudier Harris & Thadious M. Davis, eds., 1985). The consciousness reflected in the changed name is the product of a historical period that also saw the growth of the modern women's liberation movement. Citing to "Baraka" acknowledges this poet's chosen name but indirectly implies that "rape the white girl" is a statement contemporary with that name and consciousness.

57. Black dada nihilismus, choke my friends
in their bedrooms with their drinks spilling
and restless for tilting hips or dark liver
lips sucking splinters from the master's thigh.

LEROI JONES, *Black Dada Nihilismus*, in THE DEAD LECTURER 61, 63 (1964).

58. From Sartre, a white man, it gave
the last breath. And we beg him die,
before he is killed. Plastique, we

do not have, only thin heroic blades. . . .

. . . .

. . . A cult of death,

need of the simple striking arm under
the streetlamp. The cutters, from under
their rented earth. Come up, black dada

are both "girls" and "their fathers." Sexual violence and domination are exercised over men (by treating them like women—raping them) as well as over "girls." White women are not only "girls" to be raped but are (at least ambiguously) also "mothers" whose throats are to be cut. I am not arguing that rape is legitimated by calling it an expression of racial outrage, or made gender-neutral by directing it against men as well as women. However, complexity is lost in MacKinnon's quotation. In the context of the poem, the line seems less about the black man's image of white women than it did in MacKinnon's article. Her quotation puts white women at the center again.⁵⁹

In associating "rape the white girl" with the black man's image of the white woman, MacKinnon unconsciously invokes the rape image that is an important part of American racism. The black man's image of the white woman is equated with the image of the object of intended rape—a false description.⁶⁰ This misrepresentation is especially troubling because MacKinnon invokes a somewhat different version of race/gender rape myths, with obvious irony, with regard to white women. The statement that the white woman "alternates fantasizing about fucking Black men with accusing them of raping her" appears in the middle of a section on how white women fling their hair, don't work, and don't do anything. This description is clearly intended to be read as a false image of white women.⁶¹ But the quotation from Baraka makes white-woman-as-rape-object seem authentically the image held by black men. Her only other citation to a black man is to Eldridge Cleaver, a rapist defending his rape of black women as preparation for his rape of white women.⁶² These attributions to black men make "rape the white girl" appear to represent the black male image of white women more authentically than the other images in the rest of this passage.⁶³

The structure of MacKinnon's arguments may in part be a product of the influence of the field of law itself. Much of her energy has gone into

nihilismus. Rape the white girls. Rape
their fathers. Cut the mothers' throats. . . .
. . .
(may a lost god damballah, rest or save us
against the murders we intend
against his lost white children
black dada nihilismus

Id. at 63-64.

59. Grillo & Wildman, *supra* note 6, at 401-04 (describing as "taking back the center" and "stealing the center" the moves by which white people make white experience the subject of discussion and attention in response to critiques by people of color).

60. See, e.g., BELL HOOKS, *Reflections on Race and Sex*, in YEARNING: RACE, GENDER, AND CULTURAL POLITICS, *supra* note 7, at 57-61 (describing and criticizing the historical narrative "invented by white men . . . about the overwhelming desperate longing black men have to sexually violate the bodies of white women," *id.* at 58, as well as the "sexist paradigm that suggests rape of white women by black men is a reaction to racist domination," *id.* at 61).

61. MacKinnon, *Practice to Theory*, *supra* note 1, at 19; see also *supra* note 18 for full quotation.

62. *Id.* at 19 n.17 (quoting ELDRIDGE CLEAVER, SOUL ON ICE 14 (1968)).

63. For a searching discussion of feminism, racism, and rape, see Erin Edmonds, *Mapping the Terrain of Our Resistance: A White Feminist Perspective on the Enforcement of Rape Law*, 9 HARV. BLACKLETTER J. 43 (1992).

expanding and recasting sex discrimination law, which requires that "sex" be the reason for the oppression.⁶⁴ The demands of legal rhetoric encourage a tilt toward what is done to women. Even though legal action is a complex mix of both social control and adjustments to social struggle, the structure of legal argument encourages an all-agent or all-victim construction in which one either does or is done to, and women have gender oppression done to us.⁶⁵

MacKinnon finds essentialism in Simone de Beauvoir's statement that women are "biologically destined for the repetition of Life, when even in [women's] own view Life does not carry within itself its reasons for being, reasons that are more important than Life itself."⁶⁶ She criticizes de Beauvoir for "defin[ing] [women] in terms of biological reproductive capacity" and emphasizes the difficulty of translating such a view into arguments about sex discrimination: "It is unclear exactly how any social organization of equality could change such an existential fact, far less how to argue that a social policy that institutionalized it could be sex discriminatory."⁶⁷ Her critique of Susan Brownmiller's "even more biologically destined" view of rape—"[b]y anatomical fiat . . . the human male was a natural predator and the human female served as his natural prey"—also emphasizes the difficulty of handling essentialism in law.⁶⁸

One danger in allowing legal concepts of discrimination to set the framework of social interpretation within which we try to understand women's lives is that this framework renders invisible or uninteresting many aspects of creativity, struggle, and multiple interests. MacKinnon has fought to expand the concept of sex discrimination to make possible claims about sexual harassment and pornography in order to bring law closer to addressing the harms that women experience. But the legal concept of "discrimination based

64. See generally Judy Scales-Trent, *Black Women and the Constitution: Finding Our Place, Asserting Our Rights*, 24 HARV. C.R.-C.L. L. REV. 9 (1989). Cf., Crenshaw, *supra* note 22, at 150-52.

65. A powerful and troubling example is the development of expert testimony regarding battered-woman syndrome and learned helplessness to account for the behavior of battered women who kill in self-defense. See, e.g., Elizabeth Schneider, *Describing and Changing: Women's Self-Defense Work and the Problem of Expert Testimony on Battering*, 9 WOMEN'S RTS. L. REP. 193 (1986) (treating battered women as all agent or all victim). See also Mahoney, *Legal Images*, *supra* note 46, at 4, 28-43 (describing how the effect of the demands of forensic testimony in self-defense cases influences cultural and psychological concepts of battered women).

66. MacKinnon, *Practice to Theory*, *supra* note 1, at 17 (quoting SIMONE DE BEAUVOIR, *THE SECOND SEX* 64 (H.M. Parshley ed. & trans., 1971)).

67. MacKinnon, *Practice to Theory*, *supra* note 1, at 17. I believe de Beauvoir is describing a tension based on women's capacity for reproduction rather than asserting that women are in fact destined for reproduction. De Beauvoir's work has been described as having contradictory aspects in terms of essentialism. See SPELMAN, *supra* note 16, at 57-79.

68. MacKinnon, *Practice to Theory*, *supra* note 1, at 17 ("Exactly how to oppose sexual assault from this vantage point is similarly unclear. Do we make a law against intercourse?") Of course, many feminist concepts of equality do not depend on the difference between biology and the social construction of gender. See generally MARTHA MINOW, *MAKING ALL THE DIFFERENCE: INCLUSION, EXCLUSION, AND AMERICAN LAW* (1990); Martha Fineman, *Feminist Theory in Law: The Difference It Makes*, 2 COLUM. J. GENDER & L. 1 (1991); Christine A. Littleton, *Reconstructing Sexual Equality*, 75 CAL. L. REV. 1279 (1987); Martha Minow, *The Supreme Court, 1986 Terms—Foreword: Justice Engendered*, 101 HARV. L. REV. 10 (1987).

on sex" tends to place struggle against the oppression of women into the framework of liberal legal contest. If, as MacKinnon says, "discrimination 'based on sex'" is the legal theory embodying the "practice" of "experience 'as a woman,'" ⁶⁹ then the passions and struggles of women's lives are inevitably whittled into concepts of "equality" and "discrimination" that imply some existence of a liberal norm of equality. ⁷⁰

MacKinnon is committed to and concerned with substantive equality, not merely with its legal forms. In a recent article, she begins to develop a vision of substantive equality on which to ground a theory of sex discrimination. ⁷¹ But the liberal legal notion of sex discrimination—which MacKinnon has shown to reproduce male norms, standards, and vision—still tends to make departure from the liberal norm the point of argument. First, the liberal concept asserts that there really is equality (except for women) out there somewhere. Then, it focuses our attention on what departs from that norm. The rhetorical demands of liberal legal argument can exercise a pull on MacKinnon's theory despite the depth of her critique. ⁷²

MacKinnon's work on sexual harassment, rape, and pornography has helped to expand social and legal recognition of harm to women, revealing the violence involved in subjugation and subordination, the sexualization of dominance and subordination, and their pervasive social effects. She has shown real genius at articulating harm to women. But to engage in transformative struggle within the legal system or outside it, articulating the harm is only part of the fight. We must discuss it in ways that do not continually put white women back at the center of the definition of harm. Only then can we develop both theory and a transformational struggle, based on the understanding, needs, and struggles of all women.

III. RACIAL CONSTRUCTION AND WOMEN AS DIFFERENTIATED ACTORS

What is race? Race is also a social construct, a concept having no natural truth, no truth separate from historical development, ⁷³ and possibly no truth comprehensible separately from domination. The term has meant different things in this country over time, ⁷⁴ and its social and cultural meanings

69. MacKinnon, *Practice to Theory*, *supra* note 1, at 14.

70. As Kimberle Crenshaw has shown, the requirement that discrimination be "based on sex" has developed in law in ways that erase or directly disadvantage women of color. Crenshaw, *supra* note 22, at 150-52.

71. Catharine A. MacKinnon, *Reflections on Sex Equality Under Law*, 100 YALE L.J. 1281 (1991).

72. Crenshaw, *supra* note 22, at 167. This is why feminists so frequently cite AUDRE LORDE, *The Master's Tools Will Never Dismantle the Master's House*, in *SISTER OUTSIDER* 110 (1984) (emphasizing that working within legal doctrine affects feminist analysis).

73. See, e.g., Michael Banton, *The Idiom of Race: A Critique of Presentism*, in *RESEARCH IN RACE AND ETHNIC RELATIONS* 21 (Cora Bagley Marret & Cheryl Leggon eds., 1980).

74. *Id.* at 22.

continue to shift and change within our own time.⁷⁵ In law as well as elsewhere in society, as Neil Gotanda has recently shown, the term "race" has been used to stand for several different concepts.⁷⁶ Even the Supreme Court, when faced with the question directly, had to recognize that "race" was a troublesome and contingent category that shifted over time.⁷⁷

Race is a social construct. However, to say that something is socially constructed does not mean that it is not real or that we can just stop doing it.⁷⁸ And even if race is a set of beliefs and cultural meanings subject to change, it is not "just" an idea. The question is, What does it mean for race to be socially constructed. Race is not only skin color. Social rules and, at times, legal rules have determined racial identification as black when people are phenotypically white,⁷⁹ and some dark-skinned groups are not consistently socially defined as black in this country. The existence of the concept of "passing for white"—the word "passing"—is itself evidence that color is not race.

"Race" is partly about culture: some European cultures (as shown in recent events in Eastern Europe) have experienced something like racism from people with different cultures but similar skin-color. Race is partly about skin color: in the United States "race" has been anchored to an obsession with skin color and phenotype. And it is insistently about domination: the dominant group or culture uses its power to attempt to define and dominate the "other."⁸⁰

75. MICHAEL OMI & HOWARD WINANT, *RACIAL FORMATION IN THE UNITED STATES, FROM THE 1960S TO THE 1980S* 11-13 (1985) (describing racial theory as being "shaped by actually existing race relations in any given historical period," always subject to contestation, and identifying a transition in the 1920s from biological and social Darwinian views of race to an ethnicity-based paradigm which was in turn challenged in the 1960s by class- and nation-based paradigms of race).

76. See Neil Gotanda, *A Critique of "Our Constitution is Colorblind,"* 44 STAN. L. REV. 1, 4 (1991); see also Lawrence H. Tribe, *The Puzzling Persistence of Process-Based Constitutional Theories*, 89 YALE L.J. 1063, 1074 (1980).

77. *St. Francis College v. Al-Khazraji*, 481 U.S. 604, 608-13 (1987); *Shaare Tefila Congregation v. Cobb*, 481 U.S. 615, 617-18 (1987) (discussing whether Arabs and Jews were "distinct races" and thus "within the protection of" civil-rights statutes). Confronted by the indeterminacy of the concept of "race," the Court decided that the important question today is what legislators thought race was when the statutes were enacted. *St. Francis and Shaare Tefila* therefore stand for the proposition that the relevant social construction for civil rights law today is the archaic one.

78. Cf. Barbara Jeanne Fields, *Slavery, Race and Ideology in the United States of America*, 181 NEW LEFT REV. 93 (1990). Fields describes the indeterminate nature of race and the functioning of race as an ideology. She concludes, however, that the problem is the creation and re-creation of "race" in the present time by people as diverse as members of the Klan and "spokesmen for affirmative action." *Id.* at 117-18. MacKinnon has criticized a similar concept of indeterminacy, sometimes associated with the concept of social construction, by describing the powerful force of gender oppression as having "all the indeterminacy of a bridge abutment hit at sixty miles per hour." MACKINNON, *FEMINIST THEORY OF THE STATE*, *supra* note 19, at 123.

79. Race is built around skin color, yet skin color is not really determinative of race. Not all dark-skinned people are "black" and not all light-skinned people are "white." See OMI & WINANT, *supra* note 75, at 57 (describing Susie Guillory Phipps' challenge of a Louisiana law that quantified the racial identification of "black" as being anyone with at least one-thirty-second "Negro blood"); Judy Scales-Trent, *Commonalities: On Being Black and White, Different, and the Same*, 2 YALE J.L. & FEMINISM 305 (1990).

80. Some authors see "whiteness" as a claim of genetic purity. See, e.g., Gotanda, *supra* note 76, at 27. The concept of whiteness, however, is malleable in some ways: whites may acknowledge close familial relationship with some Native Americans while still perceiving themselves as "white." When I lived in Louisiana, I heard people who self-confidently considered themselves white say, "My grandmother

Perhaps dominance is actually the key here. The official rules that define "race" in America have been the white rules, even though the meaning of race has been contested in many ways,⁸¹ and even though African-American culture has had a great, though generally unacknowledged, impact on white culture and perhaps on concepts of race as well.

If dominance/subordination is what turns "culture" into "race," does this then define the oppressed person or group as the mere object of the process of social construction?⁸² White use of the term "race" is based on definitions of the "other" which imply a normal, neutral, objective, culture-less stance to whiteness.⁸³ This does not mean that white culture actually fully succeeds in defining the "other." The complex interactions of African-American self-assertion in black culture have a long history in the United States; white appropriation, commercialization, and transformation of parts of that culture have a complex history as well.⁸⁴ Nor does it mean only that whites concoct the dominant social definition of "other," imposing on society as much as possible our vision of the world, including our vision of people of color. Whites also define whiteness, albeit in ways that we cannot fully see, and then impose that vision on the world as much as we can.⁸⁵ If this process does not entirely persuade the rest of the world that our vision is "truth," it surely protects our own perceptions.

Anthropologist Renato Rosaldo describes "culture" as something one does not perceive oneself as having. Culture is something that is seen in someone else.⁸⁶ According to Rosaldo, culture is perceived in inverse proportion with power: the less full citizenship one possesses, the more "culture" one is likely

was a full-blooded Cherokee"—always a grandmother, always a Cherokee.

81. Consistent with an emphasis on domination/racism, Peter Jackson quotes Kevin Brown's suggestion that white academics with an interest in race focus on "analyses of white society, i.e., of racism." Peter Jackson, *The Ideology of "Race" and the Geography of Racism*, in *RACE AND RACISM: ESSAYS IN SOCIAL GEOGRAPHY* 3 (1987) (quoting Kevin Brown, *Race, Class and Culture: Towards a Theorization of the "Choice/Constraint" Concept*, in *SOCIAL INTERACTION AND ETHNIC SEGREGATION* 185, 198 (P. Jackson & S.J. Smith eds., 1981)).

82. In fact, the African-American experience demonstrates (even more keenly than debates between cultural and radical feminists) the importance of the struggle for a positive ground within oppressed culture. See, e.g., Thomas, *supra* note 7, at 2615 (describing culture as "the site in which African-Americans have historically sought to make sense of, and respond to, their experience in the United States").

83. Feeling culture-less may lead you to crave the "Other" to transform yourself, as bell hooks has recently pointed out about contemporary white culture's interest in black culture. BELL HOOKS, *Eating the Other: Desire and Resistance*, in *BLACK LOOKS: RACE AND REPRESENTATION* 21 (1992). But this does not mean that you really are without culture, only that your own (dominant) culture is invisible to you and the "Other" sought for variety.

84. *Id.* at 21-28 (on commodification and exploitation of ideas of blackness and the "Other").

85. This does not mean that those defined outside the circle of whiteness cannot see whiteness, or are not actors in profound and important ways. There is not just one reality of race to be seen by anyone. But what we see and what we fail to see are integral parts of privilege, and whites can afford not to see much about whiteness at all. Cf. BELL HOOKS, *Representations of Whiteness in the Black Imagination*, in *BLACK LOOKS: RACE AND REPRESENTATION*, *supra* note 83, at 165; see also text accompanying note 157 *infra*.

86. RENATO ROSALDO, *CULTURE AND TRUTH: THE REMAKING OF SOCIAL ANALYSIS* (1988). Cf. Mari Matsuda, *Voices of America: Accent, Antidiscrimination Law, and a Jurisprudence for the Last Reconstruction*, 100 YALE L.J. 1329 (1991) (indicating that we hear accents in others but not in ourselves).

to have.⁸⁷ What we ourselves do and think is the way we are, normal and neutral, like the air we breathe, transparent to us—not “culture.”⁸⁸ Rosaldo uses an example drawn from Francis FitzGerald’s work on the people of Sun City, Arizona. Residents repeatedly remarked upon the lively, accepting atmosphere in which nobody cared about your background. They saw great diversity among themselves but failed to note that the men were virtually all retired professionals, the women virtually all housewives, most of the residents Protestant, Republican, white, and conservative.⁸⁹

In a reflective working paper, Peggy McIntosh explores the ways in which it is difficult for people who are privileged to see or understand their privilege.⁹⁰ Realizing that even men who are committed to women’s liberation have difficulty seeing their own male privilege, McIntosh began consciously seeking to understand the ways in which she had been taught to accept life structured around privilege that she had also been taught not to see. To begin the project of learning to see, she listed forty-six ways that she identified the daily effects of white privilege in her life. McIntosh says she found all of these effects of privilege extremely subtle and forgot them repeatedly until she wrote them down.

The list includes things that happen because she is white and things that do not happen because she is white. It includes the ability to go shopping alone, pretty well assured that she will not be followed or harassed;⁹¹ the ability to use checks, credit cards or cash as she chooses without her skin color working against the appearance of financial reliability; the ability to arrange to protect her children most of the time from people who might not like them, and the fact that she does not need to educate her children to be aware of systemic racism for their own daily physical protection.⁹² She can arrange her activities so that she will never have to experience feelings of rejection owing to her race,⁹³ and she can speak in public to a powerful male group without putting her race on trial.⁹⁴

McIntosh conceptualizes her white privilege as an invisible, “weightless knapsack of special provisions, assurances, maps, tools, guides, codebooks, passports, visas, clothes, compass, emergency gear, and blank checks.”⁹⁵ Her

87. *Id.* at 198-99.

88. *Id.* at 198.

89. *Id.* at 203.

90. PEGGY MCINTOSH, WHITE PRIVILEGE AND MALE PRIVILEGE: A PERSONAL ACCOUNT OF COMING TO SEE CORRESPONDENCES THROUGH WORK IN WOMEN’S STUDIES (Wellesley College Center for Research on Women Working Paper No. 189, 1988). For a thoughtful exploration of whiteness and transparency, see Barbara J. Flagg, “*Was Blind, But Now I See*”: *White Race Consciousness and the Requirement of Discriminatory Intent*, 91 MICH. L. REV. 953 (1993).

91. MCINTOSH, *supra* note 90, at 5. *Cf. infra* note 127 (discussing security personnel in department stores).

92. *Id.* at 6.

93. *Id.* at 9.

94. *Id.* at 7.

95. *Id.* at 2.

knapsack includes both unearned assets (things that should be entitlements of humanity and that everyone should have in a just society, but which in fact are awarded to the dominant race) and unearned power that is systematically conferred (those things that are damaging in human terms even as they bring advantage and are associated only with dominance, such as the freedom not to be concerned about the needs, culture, or reality of others). There is a social, physical analogue to this invisible knapsack, namely, the invisible conveniences structured into the development of American cities: location of transit and other municipal services, and even the plotting of streets, have often been planned to serve white neighborhoods and preserve their whiteness.⁹⁶

Part of white privilege, therefore, is not seeing all we have and all we do,⁹⁷ and not seeing how what we do appears to those defined into the category "other." Whites cannot just opt out of the process of formation of this racial consciousness that takes the form of unconsciousness.⁹⁸ This can be painful. For example, note the feeling of exclusion that arises when white college students notice that black students all sit together—but don't also notice that the white students all sit together. And whiteness can re-create itself without the conscious will to exclude, as when people interview and hire through friends and acquaintances and find desirable candidates to be others like themselves.⁹⁹

This country is both highly segregated and based on a concept of whiteness as "normal." It is therefore hard for white people to see whiteness both when we interact with people who are not socially defined as white and when we interact with other white people, when race doesn't seem to be involved. White women see ourselves as acting as individuals rather than as members of a culture in part because we do not see much of the dominant culture at all. Our own lives are therefore part of a racialized world in ways we do not see. This happens when we interact with people of color thinking we are acting as individuals but are in fact acting as part of a white pattern. It also happens when we interact with other white people in ways that seem attached to individuality, humanity, or personhood, but that are not consistently accorded to people who are not white. These interactions with other white people are a circumstance that arises with some frequency because of urban, occupational, and social segregation.

96. I am grateful to Jonathan Simon for reminding me of this point. Telephone Interview with Jonathan Simon (May 1993).

97. Cf. Crenshaw, *supra* note 22, at 151 (only downward departures from equality are noticeable in legal cases on discrimination; white privilege does not see itself).

98. In his critique of the intent requirement in equal-protection cases, Charles Lawrence points out that much racism is unconscious. Lawrence, *supra* note 6. The process of the construction of race that I am describing here is not just individual racism (conscious or unconscious), but the selective unconsciousness about race in which whiteness is *not* visible to whites even though whites are extremely conscious of non-whiteness. Nor is it possible to solve the painful consciousness of race by deciding not to recognize it. Gotanda, *supra* note 76, at 16-23 (describing the myth and impossibility of nonrecognition of race in American society).

99. Rodney Thaxton, *Racism & Its Use of Myths*, MIAMI HERALD, May 17, 1992, at C1.

This is where the difficulty of seeing whiteness intersects the idea that gender is defined by what is taken from us. Both contribute to perpetuating the invisibility to ourselves of our particular experience of privilege as white women. Seeing only harm hampers our vision of women as actors. Further, seeing women's work in social reproduction (cleaning, cooking, caring, and more) as inherently inauthentic contributes to denying dignity in this work;¹⁰⁰ treating it as unimportant hides the ways in which reproductive labor has been racially structured in our society as a result of the effort to minimize its oppressiveness.¹⁰¹

Women's consistently gendered participation in the world takes place in many ways. We bear the children and, for the most part, we raise them. We work at home, in businesses, or both: either we simply do both sorts of work, or our work merges the home with the market (as in some forms of piecework, telephone solicitation, childcare for pay, and cosmetics sales). Our work is reproduction and production, sex and labor, sex as labor, and combinations of them all.

The lines between women's individual lives, emotionality, and work are often blurred.¹⁰² Emotional work—the commodification of care that is part of the task of social workers, waitresses, flight attendants, and sex workers—is a crucial part of service work as well as a way to sell for wages skills that women cultivate as part of social roles.¹⁰³ Also, women have been responsible in many ways for the emotional and spiritual glue that holds life together. Care and love involve both sentiment and work. It is particularly the province of women to create care and love and to create from whatever materials are at hand a supportable or pleasant environment—both a domestic environment, including responsibility for others,¹⁰⁴ and a community environment, including church congregations, PTAs, and so on—within which people are cared for and loved, and human growth transpires.

Even if women feel some of these interests as our own,¹⁰⁵ we live out

100. BELL HOOKS, *Re-thinking the Nature of Work*, in *FEMINIST THEORY FROM MARGIN TO CENTER*, 95, 102-05 (1984).

101. See Glenn, *supra* note 48, at 7.

102. On false distinctions between family and the rest of society, see generally Frances Olsen, *The Family and the Market: A Study of Ideology and Legal Reform*, 96 HARV. L. REV. 1497 (1983).

103. See, e.g., ARLIE RUSSELL HOCHSCHILD, *THE MANAGED HEART: COMMERCIALIZATION OF HUMAN FEELING* (1983).

104. In addition to child care, women have care of the aging forced upon us. "The average American mother spends seventeen years caring for children and eighteen years caring for elderly parents, both her own and her husband's." Williams, *supra* note 52, at 1598. Despite the oppressive nature of this assignment to women of care and services, we may well find it important that those who bore and raised us receive adequate care—in which case we need to find a way to value the physical and emotional work involved. It is not clear how care can or should be valued without sentimentalizing or perpetuating oppression, given the oppressive social assignment of this work to women and the ways it has been internalized among women, but failing to value it leaves us unable to answer the complexity of these questions of love, care, and responsibility.

105. Distinctions between choice and constraint also blur. See generally Williams, *supra* note 52; Abrams, *supra* note 26 (discussing social images of choice and determinism). The sensation of choice under conditions of oppression can be false consciousness, but MacKinnon, in emphasizing what women are

the effort to achieve them in an oppressive world. Women may want children, raise them gladly, and love them dearly, yet find maternal roles both enforced and restricted, and find possibilities constrained—not only for ourselves, but because motherhood means raising children in an oppressive world. We may want sex and be sexual, yet find our sexual expression coerced and distorted and its consequences hurtful.¹⁰⁶ If we want love or family, and harm and pain make us stop seeking them, this adjustment is obviously not neutral but an active state of withdrawal from which we may again try to venture later on.¹⁰⁷

Stephanie Wildman recently called on MacKinnon to deepen her work to include motherhood.¹⁰⁸ Wildman is correct about the importance of children in the lives of the majority of women. But motherhood is not easily incorporated into MacKinnon's vision because it is in some tension with her emphasis on what is done to women.¹⁰⁹ Pregnancy, in contrast, is consistent with her emphasis on women as the objects of male domination, in part because it is a consequence of sexual intercourse with a man, and fits with a vision of woman's-body-done-to-by-a-man.¹¹⁰ But raising children is both

programmed to want undervalues the complexity that many women experience. Her focus precludes authenticity when what women pursue is something society has assigned to women, including the bearing and rearing of children, heterosexual sex, and long-term caring relationships with aging parents. See MACKINNON, *FEMINIST THEORY OF THE STATE*, *supra* note 19, at 102.

106. See Littleton, *supra* note 19, at 772 (criticizing the way in which MacKinnon collapses the categories of "use" and "abuse" by men), and Finley, *supra* note 26, at 378-84 (criticizing MacKinnon's emphasis on the sexual victimization of women).

107. See, e.g., MARY ANN DUTTON, *EMPOWERING AND HEALING THE BATTERED WOMAN* 65-70 (1992) (discussing difficulties women have after abuse, including loss of sense of personal safety, difficulties with trust, and difficulties with relationships).

108. Wildman, *supra* note 26, at 446-47.

109. MacKinnon is against forced motherhood, because we should be able to want our children, but emphasizes women's lack of ability to choose whether to have sex or to choose to use contraception rather than the contradictions women face when we want children. CATHARINE A. MACKINNON, *Not by Law Alone: From a Debate with Phyllis Schlafly*, in *FEMINISM UNMODIFIED*, *supra* note 2, at 28-29.

110. Defining women by the taking of our sexuality also fails to address the ways in which women's actions in the world meet with interactive oppression: we can't work because we lack adequate or even inadequate child care; we can't earn enough to live decently by caring for the children or aging parents of others; we are excluded from work altogether not only as women but as members of communities that do not have adequate work for women or men; we "choose" whether or not to continue pregnancies based on whether or not we fear loss of jobs or have inadequate income to support children we are now raising. Some of the most brutal recent oppression of women in this country has occurred in the area of welfare "reform," built around this multiple participation in the world and exclusion from work and care. Women rearing children on inadequate incomes without men are stigmatized for having children and punished by the deprivation of income in the event they have additional children. See generally, Martha A. Fineman, *Images of Mothers in Poverty Discourses*, 1991 DUKE L.J. 274.

The term "welfare" is so often identified with black women that it is common to see "welfare" used as a "code word" for "black." See, e.g., Monte Piliawsky, *Racial Politics in the 1988 Presidential Election*, 20 BLACK SCHOLAR 30 (1989). While this hides both the unemployment of white women and the productivity of black working women, the oppression is not symmetrical because of the particular stigma perpetrated by linking the concepts of black and unemployed/unemployable. In recent welfare-reform discourses, all the functions that society calls "womanly"—heterosexual sex, child rearing, home care—are treated as if dysfunctional for women on welfare. This is especially ironic since the oppression of women of color has historically included holding up a white ideal of female domesticity to women whose lives always required them to work extensively outside the home. See, e.g., Patricia Hill Collins, *The Meaning of Motherhood in Black Culture and Black Mother-Daughter Relationships*, in *DOUBLE STITCH: BLACK WOMEN WRITE ABOUT MOTHERS & DAUGHTERS* 42, 43-44 (Patricia Bell-Scott et al. eds., 1991).

creative and oppressed. Understanding motherhood therefore requires a vision of women as actors in the world—shaping children's lives, struggling to meet the tasks society hands them with the resources available—as well as trapped with children in a system of male domination.

In MacKinnon's vision of feminism, pornography is a central and useful paradigm of the oppression of women.¹¹¹ Consistent with the focus on the construction of women's sexuality by men, it is a "taking" of women's sexuality: women are objectified and sexually used in the production process, in the artifact of pornography, and (individually and culturally) as an effect of the consumption of pornography. In describing the harm of pornography, MacKinnon's work has had the positive effect of linking the women whose images are used in making pornography with the women who are directly and immediately affected by its consumption, and these women with all women through its impact on society and culture.

Making pornography the framework within which to examine the oppression of women of many races and ethnic groups, however, inevitably limits the scope of feminist analysis. MacKinnon seems to treat whiteness as specific and to avoid equating the experience of white women with that of all women; she asserts that in pornography whiteness is not "unmarked" but "a specific sexual taste."¹¹² Asian, Latina, black, white, Jewish, disabled, all become subsets of women in pornography, variously stereotyped as particular sexual tastes.¹¹³ What is done to white women appears particular because vicious acts of sexual exploitation against white women are described and then identified as the least that is done to all women.¹¹⁴

Making pornography the paradigm locates the process of racial construction entirely outside of the actions of women. Choosing an example in which all women are objectified and sexually used hides the ways in which women interact with each other and the ways that, as we struggle to survive and construct lives in the world under conditions of oppression, a racially constructed society shapes our actions and our lives by race. Making pornography the paradigm also ensures that sexual exploitation of all women will again seem the central discovery. Therefore, the paradigm of pornography implicitly provides support for the equation of whiteness with the least-bad-things-done-to-women,¹¹⁵ rather than treating whiteness as part of a complex world of power, privilege, oppression, and struggle.

To better understand women as actors differentiated by race, I want to look at areas outside pornography where women have historically been oppressed

111. This paradigm seems particularly useful for a feminist theory that defines women as those from whom sex is taken.

112. MacKinnon, *Practice to Theory*, *supra* note 1, at 21.

113. *Id.* at 20-21 (describing pornographic images of African-American women as animals, enslaved, caged and insatiable; Asian women as passive, tortured and inert; Latinas as "hot mommas").

114. *Id.* at 21 ("What is done to white women is a kind of floor; it is the best anyone is treated and it runs from Playboy through sadomasochism to snuff").

115. *Id.* ("This is what privilege as a woman gets you: most valued as dead meat.")

and have tried to solve the problems posed by that oppression: housework, and access to money and credit. First, I would like to shift the paradigm of oppression to housework, beginning with the part of this story that is about meeting fundamental needs—the part that parallels “humanly struggling” in Marxism: it is pleasant to live in a clean house; it is necessary for health to live in a house that is not extremely dirty; houses do not clean themselves.¹¹⁶ Housework is therefore a human need—one that is oppressively assigned to women. Domestic services (as well as sexual access) are often brutally enforced within marriages and in social expectation.

To accomplish having a clean house and to cope with the oppressive assignment of household work to women, some women employ other women to do significant amounts of household work.¹¹⁷ The historical and contemporary relationships of white women and women of color with regard to housework are noted only ironically and in passing in MacKinnon’s essay.¹¹⁸ White women have employed women of color in the privatized, isolated context of the individual white woman’s home. With some justification, MacKinnon might emphasize the framework of oppression here: these services are oppressively assigned to women, and most white women do the housework for their own households and have no resources to do otherwise. Also, sexual predations by white men against women of color in white homes¹¹⁹ were not committed by white women, were committed against white women household workers, and caused pain to white women as well as women of color.

But many women of color have worked for many white women over time. Historically, the domestic employment of women of color by white women has been culturally important to many women of color, and women of color have fought hard to keep their daughters from going into household employment.¹²⁰ This racial employment relationship was known as important in the experience of women of color in ways that were not comparable or symmetrical for white women. First, relatively economically privileged white women were the ones who more often employed domestic workers.¹²¹ The world in which many white women employ women of color to do housework

116. I know this, because I’ve been waiting all my life and they haven’t started yet.

117. In a recent article, Evelyn Nakano Glenn analyzes the way that the activities of *social reproduction* (purchasing household goods, preparing and serving food, laundering and repairing clothing, maintaining furnishings and appliances, and care for children and the elderly) have been organized by race and ethnicity in the United States. Glenn, *supra* note 48, at 6-19 (on the racial structure of private domestic work) and 19-31 (on the racial division of public reproductive labor).

118. “Miss Anne of the kitchen . . . complains about the colored help . . . can’t do anything, doesn’t do anything . . .” MacKinnon, *Practice to Theory*, *supra* note 1, at 19.

119. See, e.g., Barbara Omolade, *Black Women, Black Men, and Tawana Brawley—The Shared Condition*, 12 HARV. WOMEN’S L.J. 11, 14 (1989) (quoting GERDA LERNER, *BLACK WOMEN IN WHITE AMERICA: A DOCUMENTARY HISTORY* 156 (1973)).

120. Glenn, *supra* note 48, at 18-19.

121. At particular historic times, white women have more commonly hired women of color as domestic help and benefitted from the oppressive labor structures that kept women of color available for work at such low wages. *Id.* at 6-11.

will be generally invisible to the many white women who never employ (and whose mothers never employed) household help.¹²² Second, white women who did employ household help could generally maintain the almost magical invisibility of dominance to itself—household workers, not their white employers, were the issue for white women.

Privileged identity requires reinforcement and maintenance, but not seeing the mechanisms that reinforce and maintain privilege is an important component of privilege. In responding to MacKinnon's discussion of white women, Cathy Powell emphasized the subordination of women of color in the labor market, and recounted the experience of her grandmother, a black woman who had little contact with white women while growing up in a family that survived on subsistence farming, "until she later moved to New York where she worked as a domestic for a wealthy white family. She has told me how degrading this experience was in both gender and racial terms."¹²³ Although employment of people of color to perform domestic service has been important to white dominance,¹²⁴ it seems unlikely that women from the wealthy white family would tell their grandchildren about the employment of the black domestic worker as an important part of their experience of their race and gender. These different learned cultural truths—and the power that backs them—have made it possible for white women not to see the ways in which women of color have experienced employment interactions with white women.

In an essay in Alice Childress's book *Like One of the Family*, a domestic worker describes a white woman who fiercely clutches her purse whenever the black housekeeper is anywhere on the premises.¹²⁵ Mildred, the narrator, makes a pointed response by leaving on an errand without her own purse, then racing back anxiously and grabbing her purse theatrically—she also protests directly.¹²⁶ This white woman's behavior is so patently ugly, so viciously racist, that it is almost too easy an example of racist interaction. It shows her hostility, her fear, and her privilege to act on them offensively. It is consistent with a picture of black people as dishonest, with white women who grab their purses tighter when a black man walks by on the street, with many vicious racist stereotypes.

122. Some white women have historically done housework for others; most white women today do not hire household help. This difference in visibility and social understanding of one's experience is part of what we mean when we say "minority": a "minority" experience happens to fewer people, as well as having less social visibility and power. *Id.* at 9, 33; JACQUELINE JONES, *LABOR OF LOVE, LABOR OF SORROW: BLACK WOMEN, WORK, AND THE FAMILY FROM SLAVERY TO THE PRESENT* 74 (1985); BETTE WOODY, *BLACK WOMEN IN THE WORKPLACE: IMPACTS OF STRUCTURAL CHANGE IN THE ECONOMY* 52-53 (1992).

123. Letter from Cathy Powell, *Open Letters to Catharine MacKinnon*, 4 YALE J. L. & FEMINISM 189 (1991).

124. Glenn, *supra* note 48, at 9, 32.

125. ALICE CHILDRESS, *The Pocketbook Game*, in *LIKE ONE OF THE FAMILY: CONVERSATIONS FROM A DOMESTIC'S LIFE* 26 (1956).

126. *Id.* at 27 ("Later, when I was leavin' she says real timid-like, 'Mildred, I hope that you don't think I distrust you because . . . ' I cut her off real quick. . . . 'That's all right, Mrs E . . . I understand. 'Cause if I paid anybody as little as you pay me, I'd hold my pocketbook too!").

But the white woman could conceivably have seen herself as motivated not solely by race or not by race at all. She could think, maybe without self-delusion, that she would also grab her purse when a white household worker came in—and not think about whether she would learn to hide her purse to avoid embarrassing that white woman. She could think these things and not see where she fit in a world of white women who treat black women as potentially dishonest, and white people who treat black people as dishonest and dangerous (like security personnel who follow black people through stores to monitor against shoplifting).¹²⁷ She could protect her purse without seeing where she fit in a world of white power which creates different job paths for black women and white women, so that black women were for many years forced into domestic work by exclusion from many other forms of employment. Especially important, she could act without seeing where she fit among the several simultaneous white employers of that particular black woman, including the white women who said they just “loved” the maid and claimed she was “like one of the family,”¹²⁸ and the white woman who tried to extract extra unpaid work by juggling work days and pay schedules,¹²⁹ and all the others.

Those attributes of whiteness were invisible to that white woman. She could possibly think to herself, “I never let anyone else (strangers, delivery people, maybe even neighbors) stay in the room with my purse.” But she also never let anyone else have the mobility in her home without trust or closeness that many domestic workers have, an intimacy in the flotsam of household activities and the jetsam of bodily functions: old letters, food wrappers, Tampax, and the myriad things that turn up in laundry and garbage.

Each white woman who tightens the grip on her purse when a black man approaches on the street, or who acts uneasy when a black person enters an elevator,¹³⁰ may see herself as acting as an individual in response to a dangerous other, but she is part of a pattern to those defined outside the circle of whiteness. These examples, however, still have aspects of what we usually

127. See, e.g., Lena Williams, *When Blacks Shop, Bias Often Accompanies Sale*, N.Y. TIMES, Apr. 30, 1991, at A1 (describing the pervasiveness of discriminatory treatment of black people in stores and other public places, including the experiences of Julianne Malveaux, a professor at the University of California at Berkeley, who was accused of switching tags on a dress at Saks Fifth Avenue in New York; Cedric Holloway, a 20-year-old black man who was arrested at gunpoint while he read brochures about money-market accounts in his car outside a bank in Florida; and Daniel Lamaute, a business consultant who narrowly escaped arrest by police at an airport in Denver).

128. CHILDRESS, *supra* note 125, at 1-3.

129. ALICE CHILDRESS, *I Hate Days Off*, in LIKE ONE OF THE FAMILY: CONVERSATIONS FROM A DOMESTIC'S LIFE, *supra* note 125, at 97-98.

130. Searching for an anecdote about women of color riding in an elevator who are treated with fear and hostility by white women, I found in works by African-American women several anecdotes in which elevators were described as the site of tense or hostile racial interactions. See, e.g., Peggy C. Davis, *Law as Microaggression*, 98 YALE L.J. 1559 (1989); Jewelle Gomez, *Repeat After Me: We Are Different, We Are the Same*, 14 N.Y.U. REV. L. & SOC. CHANGE 935 (1986). Cf. WILLIAMS, THE ALCHEMY OF RACE AND RIGHTS, 76 (1991) (hypothetical illustrating a race-reversed version of the Bernard Goetz case, in which a black man in an elevator shoots some white men because he feels threatened by them).

call racism. In each case, the white woman is acting on her sense of black people and reacting to black people. Privilege also often exists for the white woman as an individual (for example, being waited on promptly in stores, or not being assumed to be a representative of her race) when she need not see the event as a matter of "race" at all.¹³¹

One of the most important characteristics of whiteness in modern society is the way in which white people can have little contact with people of color. We live in a society that is profoundly geographically segregated. Many white people live predominantly white lives without being more than intermittently conscious of "choosing" whiteness—or may live this way without ever consciously choosing whiteness if instead the person is choosing a "good neighborhood." The cultural values surrounding this segregation—the set of values in which white neighborhoods and "good" neighborhoods come together—are part of the oppression of people of color, and these values are also part of the construction of race itself.¹³²

Therefore, part of the experience of white women in this racially constructed society is that we may live where we have minimal interactions with people of color. Then the issue is one of the social construction of race: how living this way shapes white women and shapes a cultural phenomenon of whiteness. This can be particularly important because of our feeling of vulnerability as women, which leads to a quest for safety that we cannot really achieve and tends to reinforce emphasis on "good neighborhoods" and "safe areas." Since we cannot sort away from men and the dangers they pose, we may accept social markers that treat "safety" as equivalent with whiteness, reflecting and reinforcing racism.

Women have historically lacked access to money and property, and equal access to credit was a component of the modern women's movement. (The recent introduction of commercials for dual-signature travelers checks shows how long a struggle this has been.) Once money, checking accounts, or credit cards have been secured, however, their usefulness and the experience of using them differentiates by race.

Imagine a line of women with checkbooks in hand at a cash register. The white woman writes a check or pulls out her credit card and charges a purchase. Black women often encounter much more difficulty in ordinary commercial transactions,¹³³ and the black woman who comes to the cash

131. Peggy McIntosh mentions a related phenomenon: she was raised to see herself as an individual and not as part of a culture. McIntosh, *supra* note 90, at 4.

132. The concept of "white" as employed, employable, and competent is in part a product of the access to employment in white neighborhoods; the concept of black as unemployed/unemployable follows patterns of urban development that segregated urban areas by race, deprived black neighborhoods of jobs, and then defined these neighborhoods as filled with unemployables known by their blackness. *See generally* WILLIAM JULIUS WILSON, *THE TRULY DISADVANTAGED* (1987); Martha Mahoney, Note, *Law and Racial Geography: Public Housing and the Economy in New Orleans*, 42 STAN. L. REV. 1251 (1990).

133. *See, e.g.,* Williams, *supra* note 127, describing the experience of actress and television producer Debbie Allen, who found a white clerk in a Beverly Hills store unwilling to show her merchandise and certain that, because she was black, she could not afford anything in the store.

register next has her identity and her credit card questioned. In the first transaction, the woman cashing the check is actually experiencing life as a white woman—but from her vantage point, all she did was cash a check, not conduct a racial transaction.¹³⁴ And in the second transaction, the woman who has trouble cashing the check is actually experiencing life as a black woman. She is more likely to know it as a racial transaction, or constantly be forced to suspect it or to ignore the issue of why this happened this time—and all these levels of consciousness are part of that experience of a black woman cashing a check.¹³⁵ Part of the first transaction was the white woman's whiteness—and that is the invisible part. Both of these transactions are part of the construction of race, but white people have difficulty seeing exchanges with other white people as race-charged.

As a white single mother, my parenting was socially suspect (as when my daughter's second-grade teacher commented that it was fortunate that she had a new friend, because the new girl's home had "structure," which he explained meant "two parents").¹³⁶ Compared with black single mothers I knew, however, my suspect competence seemed less policed (white neighbors in mostly white university communities did not call the authorities when my children cried at night, and accidents to my children were less likely to be treated as possible abuse). My children were less likely to be seen as "streetwise" for curiosity or insight (no one who knew all the children thought mine more intelligent or more sheltered).¹³⁷ Questions about family were structured to imply less insult ("do the children see their father?" as against

134. Cf. McIntosh, *supra* note 90, at 6 (white privilege in using checks). In my seminar, after reading the McIntosh working paper on white privilege, black students sometimes tell check or credit stories of their own; for example, an African-Caribbean woman had experienced rejection of her check by a store clerk despite showing a driver's license and her American Express Card. But white students have not had stories to tell about check cashing, presumably because what they experienced seemed not "privilege" but business as usual.

Also, there is the "rules were made to be broken" phenomenon. My sister, Joan Mahoney, uses a drive-through banking window at which a sign announces that drivers' licenses must be presented to the teller. She does not send her license in and has never been asked to show it, even when receiving cash from tellers she did not know. As a white woman driving a late model Toyota Camry, her race and class insulate her from the operation of "rules" which can be "impartially" invoked any other time. Telephone Interview with Joan Mahoney (Jan. 1993). On commercial interactions, see also Ian Ayres, *Fair Driving: Gender and Race Discrimination in Retail Car Negotiations*, 104 HARV. L. REV. 817 (1991).

135. There is a parallel here to situations in which white women walking down the street clutch their purses when a black man approaches. Many white women tell me in conversation that they clutch their purses when any man who is not perceptibly elderly approaches. Even if these women accurately perceive their own patterns of behavior (and do not underestimate the times they fail to notice white men on the street, for example) their actions have social meanings created by the actions of others and of society. To white men walking down the street, these actions are usually not part of a pattern of fearful-acting white women nor a pattern of social treatment of these men as dishonest, dangerous, criminal. To black men walking down the street, the women's actions are part of those patterns *and* part of a social script about the dangers of black men to white women.

136. He may have implicitly meant two white parents, or else he had not noticed her other friend who had two black parents, a construction contractor and a schoolteacher, present in the home and active around the school.

137. Black women live with the necessity to educate their children about racism. This has a powerful, particularized impact on the relationships between black women and their children. Collins, *supra* note 110, at 52-57.

"do the children know their father?").

My status as a white single parent pursuing graduate and professional education was sometimes seen as noble (for example, some attorneys saw going to law school while raising children as heroic, although the secretaries in their firms who worked while raising children were not considered heroes). I fought to establish my analytical abilities against an aura of maternal worthiness which dominant society does not usually perceive simultaneously with the perception of keen intelligence. The maternal image was not affected by the risk of being seen as too strong, part of a pattern of social dysfunction or unhealthy matriarchy in my community.¹³⁸ The struggle to win recognition of ability is different where there is a race-privileged presumption of intelligence rather than a racial slur on intelligence.¹³⁹

The fact that I experienced oppression does not constitute proof that women who are single mothers experience oppression (the experience of women of color would be sufficient proof) nor was it the "floor" of oppression for single mothers (for example, I had less financial resources than some single mothers and more than many). Rather, both my experience and my friends'¹⁴⁰ experiences were particular to the social construction of our identities.¹⁴¹ But mere recognition of diversity of experience does not fill in the picture: I did not see myself as a "white single mother," and I believe the privilege of not noticing one's race as a single mother is absent for black women.¹⁴² My status had no common race-specific phrase. Nothing brought to my attention that portion of how I was treated which was in accord with societal norms. The opposite was true: although my whiteness was invisible, many events and interactions showed me that I faced stigma and struggle. Most important, nothing would have told me that I was experiencing "privilege," and nothing would have shown me that whiteness was part of the picture, had I not been simultaneously hearing the experience of women of color. Like the white woman cashing a check, I would know only whatever it took for me to get there, and I would take the money and go.

138. See Austin, *supra* note 21, at 566-67.

139. Also, neighbors did not respond to my academic successes with rumors about my sex life. I am not saying that these things do not happen to white women, but that they did not happen to me. This is consistent with women of different races and ethnicities being differently constructed in cultural imagination, a point made by MacKinnon and also by Harris, *supra* note 4, and SPELMAN, *supra* note 16, among others.

140. For white people discussing race, mention of friendship has acquired a bad name. It reeks of a 1950s liberalism in which the claim that "some of my best friends are black" is a way of saying "I am not racist." But what I have learned about race has come mostly from friends, from listening to the few women of color with whom I have been close share their thoughts and feelings, and from watching their lives unfold alongside my own. I believe that discounting the transformative potential in friendship perpetuates the societal devaluation of any love that is not heterosexually sexual and the devaluation of affection between women generally.

141. As students, we shared to some extent in class privilege.

142. Though again there are likely to be quite different constructions of "single mother" in the social construction of different cultural groups.

IV. WHAT IS A WHITE WOMAN ANYWAY? V. WHAT SHOULD WHITE WOMEN DO?

MacKinnon's reductive method of identifying the oppression of women insistently reproduces a white norm: strip out all "other" forms of oppression, identify the woman who is "not poor or working class or lesbian or Jewish or disabled or old or young," and this white woman who "does not share her oppression with any man"¹⁴³ experiences oppression from men, which becomes a "particularly sensitive indicator of the degree to which women, as such, are despised."¹⁴⁴ She argues that this does not make white women's condition "any more definitive of the meaning of 'women' than the condition of any other woman is." Rather, "trivializing" the oppression of this woman (oppression that is not racist, anti-Semitic, or otherwise-oppressed) is "anti-woman."¹⁴⁵

There are two problems here. First, identifying women as differentiated actors is not the same as trivializing the oppression of women. MacKinnon recognizes additional hardships and burdens and the particular oppression of women of color, differentiating women by degrees and types of oppression. She agrees white women are less oppressed. But she hears discussion of racial privilege in white women as "trivializing" or denying gender oppression,¹⁴⁶ which then seems "anti-woman." Counterposing "privileged" and "oppressed," creating a sharp dichotomy of woman as oppressed or not oppressed, creates a false distinction that reflects the problems of the additive approach to oppression criticized by other feminists, in which various distinct sorts of oppression are seen as added together (gender plus race), rather than reckoning with the complexity of interlocking systems of power.¹⁴⁷ Also, the additive approach tends to make relations among women invisible or unimportant, when they are part of the construction of race and require attention fundamental to transformative struggle.

Second, although I am sure MacKinnon does not mean to take white women as typical women, this method still asserts there is some core truth to gender oppression arrived at by taking away "other" oppressions. There follows the implication that the woman with other-features-that-also-face-oppression stripped away can be fairly or usefully understood as "woman" in

143. MacKinnon, *Practice to Theory*, *supra* note 1, at 22 (emphasis omitted).

144. *Id.*

145. *Id.*

146. This perception is reflected in the ironic subtitle of her essay, *What is a white woman anyway?* and in the tone that marks the passages on white women, quoted *supra* notes 12 and 18.

147. See discussion, *supra* note 16, of feminist criticism of the additive treatment of oppression. The conceptual problem here is that "oppressed" should not be treated as the opposite of the category "privileged." The opposite of "oppressed" is "free"—or, given a history and contemporary reality of oppression and struggle, "liberated." Privilege is a concept that can describe many types of hierarchy and subordination, not consistently interchangeable with either "not-oppressed" or "oppressor." The white woman cashing a check is privileged though she may experience economic oppression herself. See *supra* text accompanying notes 133-35. I am grateful to Christine Littleton for her clarifying insight on this point.

her oppression and not as contingent and particular, not peculiarly white, middle-class, Christian, and so on.¹⁴⁸

MacKinnon seeks to hold onto this reductive method of determining the existence of oppression "as a woman," the oppression of women "as such," and simultaneously to hold onto the principle that building theory out of the necessarily diverse practice of women will make feminist theory incorporate the diversity of women and the multiplicity of women's experience. She thinks she can have both reduction and diversity because she looks at the experience of women by focusing on what is done to women. As a social thinker, she can grasp the social construction of race as well as gender, but the resulting view of white women is in tension with her concepts of gender as constructed by what men see and do. Only if woman is defined by what is done to her—only if "that which is most one's own [is that which is] taken away"¹⁴⁹ and "you are made who you are by that which is taken away from you by the social relations the theory criticizes"¹⁵⁰—can we reach this view in which "woman" is not a historically and socially specific actor but a being from which all "other" oppression has been stripped away and some oppression remains.

It is this view which leads MacKinnon to confuse discussions of privilege in white women with the concept of white-woman-not-oppressed. Although it is not entirely clear to whom MacKinnon is responding in her article, she seems to read recent works that emphasize the diversity and particularity of women's experience as denials of the experience of women's oppression. Angela Harris,¹⁵¹ Kimberle Crenshaw,¹⁵² Elizabeth Spelman,¹⁵³ and other feminists who have criticized the tendency of some white feminists to center feminist theory around the experience of white women,¹⁵⁴ have not denied that women are oppressed on the basis of gender, that white women experience gender oppression, or that gender oppression is an important issue. Rather, these are feminist assertions that the experience of being a woman of color

148. This approach has some similarity to the self-described "suburban women" who discovered that comfort only hid their "essential powerlessness and oppression," of whom MacKinnon wrote that the "place of consciousness in social construction is often most forcefully illustrated in the least materially deprived women, because the contrast between their economic conditions and their feminist consciousness can be so vivid." MACKINNON, *FEMINIST THEORY OF THE STATE*, *supra* note 19, at 92. Despite the diversity of many consciousness-raising groups, *id.* at 84-85, the "suburban women" were historically specific people. If a camera focused on a 1970s CR meeting in one of those suburban homes had risen up and pulled away in an aerial shot of the neighborhood, the viewer would have seen suburbs built during the 1950s and 1960s that were created as white areas by governmental and social processes (for example, lending policies originally systematized by the federal government that effectively barred lending in areas where people of color lived, and cumulative individual acts of housing discrimination) and in which women were captured by an ideology of domesticity as historically specific as the later advent of the ideology of the professional Supremom. The experience subjected to that set of consciousness-raising discussions was in fact white and middle class—not just suburban nor merely "not otherwise oppressed."

149. MACKINNON, *FEMINIST THEORY OF THE STATE*, *supra* note 19.

150. MACKINNON, *Desire and Power*, *supra* note 2, at 48.

151. Harris, *supra* note 4.

152. Crenshaw, *supra* note 22.

153. SPELMAN, *supra* note 16.

154. Edmonds, *supra* note 63; Grillo & Wildman, *supra* note 6; Kline, *supra* note 3.

cannot be described in any way that sees only what is done to women, that what happens to white women cannot be usefully described without further examination as what happens to "women," and that focus on the sexual exploitation of women hides both racist oppression and the strength, struggles, and multiple interests of women of color. MacKinnon anchors herself to the reductive end of this problem when she chooses to treat criticism as denying oppression in women and answers with the argument that women are oppressed and the proof is that bad things have been and are done to white women.¹⁵⁵

MacKinnon's dichotomy between practice and theory also helps to hide whiteness in women. Her concept of "practice" is effectively limited to what is done to women, not what we do—or only what we do in response to what is done to us, instead of what we do and attempt, individually and together, for ourselves. This confuses "treatment as a woman" with "experience as a woman"—a complex matter which involves both how we are treated and how we try to live. Practice must mean more than how we are treated.

Her concept of "practice" is also limited by the way she distinguishes it from the "theory" which should be built from practice. By engaging in abstract discussions, feminist legal theory has indeed missed some of the keen reality of women's oppression, but that does not mean that a raw "practice" of women completely uninformed by "theory" exists.¹⁵⁶ In consciousness-raising groups, some women were reading the feminist theory that existed at the time,¹⁵⁷ some were writing theory (and journals and poems), and some were listening to each other's experience and their own as they told it (and forming friendships with each other, falling in love with each other, going to demonstrations together, organizing women's classes at local schools, and doing all the many things women in those groups did). Practice as a woman is informed by oppressive theory or affected by liberatory theory—it isn't pure, raw, unmediated experience.

The theory/practice split is particularly important to understanding race, because race itself is culture and ideology, not a natural truth. White people will think racially as whites without thinking "about race," because we tend to equate "race" with "not-white." We will not understand that we are thinking racially when we are not thinking about people of color. This will be part of our practice as white women because it will shape what we do, though it will be very difficult for us to see.

So if we are building theory out of the practice of women, white women need to reckon with the ways in which some of our practice will not be

155. This explains why MacKinnon could interpret critiques emphasizing differentiation among women as concerned only with oppression that men also suffer.

156. Schneider, *supra* note 41 (describing interaction of theory and practice).

157. MacKinnon herself refers to the reading of feminist theory in many consciousness-raising groups. MACKINNON, *FEMINIST THEORY OF THE STATE*, *supra* note 19, at 85. Many more women in consciousness-raising groups were reading theory outside those groups and carrying ideas in with them as part of their processing of experience.

addressed in our theory because it is not visible to us. This is a problem which cannot be answered by arguing that women really are oppressed as women. Rather, if we want liberation as women (including liberatory theory), we need to explore the experience and needs of *all* women. In this process, we will need to hear accounts of women's experience in which whiteness itself may become visible in ways we find uncomfortable.¹⁵⁸ The meaning of whiteness will therefore need to be examined and challenged.

A white woman lives the tension between ongoing oppression and the attempt to effectuate her life as if inside a bubble of dominant culture. To most of us, the bubble is transparent.¹⁵⁹ The culture we live in makes the specificity of our lives invisible to us. White interactions go on whether or not we intend to subordinate another person or to interact with consciousness of race. They are part of the meanings in the culture in which we live, and they are part of how we react to things emotionally, but since they are "normal" they are as invisible as air. Feeling unlike an agent in one's life, noticing *only* the ways in which one is not powerful, may be a vision of the self which depends on the transparency of the ways in which you are privileged.¹⁶⁰ The dominant mentality is protected by this invisibility which allows it to inflict pain deliberately or unawares.¹⁶¹ For those defined outside this bubble of culture, it is not invisible at all. Defensiveness in the face of criticism can make this bubble as perceptible as armor.¹⁶²

If the point of feminist endeavor is to undertake the transformation of society and achieve the liberation of women, then it matters a great deal how we undertake this transformative work. Transformative work, which is part of consciousness-raising and is the point of feminist struggle, involves listening respectfully to those who can see what we cannot. It involves consciousness-raising of our own, like Peggy McIntosh's lists, to try to undo the invisibility of whiteness. This work requires understanding and playing close attention to women as social actors.

158. Maria Lugones, *On the Logic of Pluralist Feminism*, in *FEMINIST ETHICS* 35 (Claudia Card ed., 1991).

159. Notable exceptions are white women whose lives are lived intimately connected with people of color—as lovers, spouses, mothers—and sometimes through friendship, *see supra* note 140. HOOKS, *supra* note 83, at 177 ("white people who shift locations . . . begin to see the world differently Understanding how racism works, [a white man who shifted position] can see the way in which whiteness acts to terrorize without seeing himself as bad, or all white people as bad, and all black people as good.").

160. BELL HOOKS, *Sisterhood: Political Solidarity Between Women*, in *FEMINIST THEORY FROM MARGIN TO CENTER*, *supra* note 100, at 43, 44-47 (criticizing bonding among women on the basis of shared victimization as reflecting class and race privilege). Examples of hidden privilege in claims of victimization can be found in the conversational asides in which middle-class professionals and academics discuss the disadvantage of white males in the current job market.

161. As Peggy McIntosh says, both the privileges everyone should have and the privileges no one should have are part of that package of privilege. McIntosh, *supra* note 90, at 10-14. Both are transparent to the person inside that bubble and quite visible to those outside it—those who have trouble cashing checks and know or suspect this is *not* true for everybody.

162. Franz Vital, a recent graduate of the University of Miami School of Law, has described the engagement of an almost visible shield when he uses the phrase "white people"—a reaction he compared to the force fields in science fiction films that are seen only by flashes and sparks as they repel attacks.

I am not suggesting that white privilege is an unchanging artifact. I am troubled by discourse on race and gender that treats identity as a set of fixed poles rather than as interactive, socially known, and contested. I believe that the societal tendency to see privilege as fixed and frozen is one reason MacKinnon hears discussion of privilege as antithetical to concepts of oppression. "Culture," "race," and "gender" should not be treated as fixed when they are lived constructions, fluid if extraordinarily powerful, and subject to change through struggle and resistance as well as to reinforcement and reproduction through interactive oppression(s). Identity is socially constructed, culturally known, and lived by women in the experience of oppression *and* in the lives we build despite being unable to escape the framework of oppression. Identity is also forged in the struggle against oppression, and therefore in the ways we conduct this struggle. For these reasons, I find it more useful to look at how white women live and what white women do than to try to say what a white woman "is." These are difficult but very important explorations.

In the second sentence of this essay, I used the term "defensive" to describe the essay to which I am replying. I used it deliberately, but the word is heavily charged. I vividly remember discussions of racism when I didn't agree with the criticisms made by people of color—thinking or saying, "but wait, that wasn't what I meant." Told I was being defensive about racism, I can still hear myself insisting (sometimes out loud, sometimes inwardly): "I'm not defensive—I just think you're wrong." Wasn't there any way to disagree with criticism, or to try to tell my version of what seemed to be true, without being labeled "defensive"?¹⁶³

Marilyn Frye describes a feminist organization in which white women were criticized for their racism by women of color.¹⁶⁴ The white women decided (after consultation with women of color) to hold meetings of white women to work on this issue. Shortly thereafter, they were strongly criticized by a black woman for thinking they could understand it alone and for unilaterally deciding to exclude the women of color. Frye found this an intolerable double-bind—white women were racist if they didn't act, and racist if they did—and felt the criticism was "crazy." But this sense of "craziness" made her suspicious, because she knew how she herself had often seemed "crazy" to people who could not see the profound structure of sexism with which she was concerned. She responded by trying to listen differently and by trying to understand the ways in which her decisionmaking reflected a white privilege

163. I want to acknowledge here the inspiration I have found in two white women—Jeanne Adleman, my mother, and Stephanie Wildman, a friend—who have shown me examples that combine struggling against racism with the understanding that one will inevitably have absorbed some of the values society and culture have created. They consistently show a primary concern with fighting oppression and less concern with having been right about particular issues, something that many of us find very hard to relinquish. Stephanie sees this as part of being willing to move out of the "center" of discussion. Telephone interview with Stephanie Wildman (Feb. 1993); see also *supra* note 59.

164. MARILYN FRYE, *THE POLITICS OF REALITY: ESSAYS IN FEMINIST THEORY* 111-12 (1983).

to define the terms and scope of white action against racism.¹⁶⁵

I agree with the many feminists who assert the necessity of feminist struggle against all oppression. We can conclude that feminism must be concerned with struggle against racism, and that white feminists need an active agenda against racism (including white privilege), by recognizing that "women" will not be free until "women of color" experience freedom. We could reach the same conclusion by believing that racism is so deeply entwined and so profoundly implicated in all structures of gender oppression that it has harmed white women even as it has brought us privilege in many ways, so that we will never find freedom until we help transform all of these power relationships. Either way, white women need to work actively against white privilege.¹⁶⁶

I also agree that feminism needs theory built out of the diverse experience and needs of women. How white women act will have a great deal to do with achieving the development of pluralist feminist theory. It matters how we talk with each other, and, especially, it matters how we listen. This does not mean that everything any person of color ever says must be taken by white women as objective truth, but that it be recognized as a truth, and as truth to the respected person from whom we hear it.¹⁶⁷ Close attention to positioned truths is respect fundamental to progress and change.¹⁶⁸

Women can "coalesce across differences" to work on issues of concern to women. Martha Fineman has recently suggested that motherhood is such an area of shared concern and potentially of shared work to transform women's "gendered lives."¹⁶⁹ Recognizing the racially differentiated work of social reproduction and the differentiated images of single mothers should not preclude the development of shared work for mothers. Moving beyond shared sexual exploitation into other areas of life and struggle can help illuminate the potential for shared struggle. Recognizing shared interests in women that cross social and cultural boundaries is not the same as declaring women's shared sexual exploitation to be of primary significance in our struggles. Also, making difference visible and making white privilege non-neutral do not mean we need to declare against common ground for women.

As I reread MacKinnon's work while writing this essay, I found my respect for many of her insights reinforced and even increasing. My argument is not with the breadth or depth of her critique of oppression, nor with her relentless

165. *Id.* at 111-13.

166. This is not just about white women needing to "remember" that "other" women are "not the same as white women" and that we therefore should not make overbroad claims about "all of us"—concepts in which the tendency to treat whiteness as central recurs over and over again as we begin to try to work against it. See *supra* note 59.

167. See Lugones, *supra* note 158.

168. To understand what we do not see for ourselves, we need to be "listening with intent to hear." This sensitive phrase is from the anonymous client of a feminist therapist. Telephone Interview with Jeanne Adleman (Nov. 1992).

169. Fineman, *supra* note 68, at 20-23.

opposition to the pain, degradation, and suffering of women. However, her emphasis on the construction of gender through male power, and the centrality of sexual exploitation to her vision, tend to obscure the importance to white women of the social construction of race.

My first impulse was to articulate in this essay an alternative account of the construction of gender. But this quickly reminded me how many questions seemed truly important. These questions about what is happening and what to do about it are "theoretical" in ways that cannot be dismissed as academic and cannot be resolved without working to incorporate the diverse practice of women. These include questions about the construction of race, including whiteness as a racial construct and the interactive constructions of race and gender; understanding the relationship between theory and practice, and the ways in which culture and ideology mediate this relationship; recognizing both accommodation and resistance to oppression without falling into the dual traps of finding resistance in any act or of sentimentalizing accommodation; evaluating whether objective truths (which I might fear less than others, were I only certain of them) are necessary to liberatory vision; and exploring questions about valuing women's work without perpetuating enforced motherhood or other roles that have been forced upon us.

Solving these questions is a collective intellectual and political undertaking for our time. Transformative work depends on working toward understanding these questions. The quality of the understanding we achieve, and our ability to transform our lives and society depend on and are inevitably affected by the inclusive or exclusive nature of this work for change.

